

**BEFORE THE
ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON**

In the Matter of the Application for Site Certificate
for the **Lone Pine to Whetstone 230 kV**
Transmission Line

)
)
)

PROJECT ORDER

September 14, 2023

Table of Contents

- I. INTRODUCTION..... 1
 - A. Facility Description 1
 - B. Facility Location 4
 - C. Applicant Information 4
 - D. Procedural History..... 5
 - 1. Public Participation..... 6
 - 2. Special Advisory Group Participation 7
 - 3. Reviewing Agency Participation 8
 - 4. Tribal Government Participation 10
 - E. Application Review Process..... 10
- II. EFSC REGULATORY FRAMEWORK..... 11
- III. APPLICATION REQUIREMENTS..... 12
 - A. Exhibit A – General Information about the Applicant and Participating Persons 12
 - B. Exhibit B – General Information about the Proposed Facility 13
 - C. Exhibit C – Location 16
 - D. Exhibit D – Organizational Expertise 17
 - E. Exhibit E – Permits..... 18
 - 1. Federal Permits..... 21
 - 2. Federally Delegated Permits 21
 - 3. State Permits 22
 - 4. Local Permits..... 26
 - 5. Third-Party Permits..... 27
 - F. Exhibit F – Property Owners..... 27
 - G. Exhibit G – Materials Analysis 28
 - H. Exhibit H – Geologic and Soil Stability 29
 - I. Exhibit I – Soils..... 29
 - J. Exhibit J – Waters of the State and Removal-Fill 30
 - K. Exhibit K – Land Use 31
 - L. Exhibit L – Protected Areas 34
 - M. Exhibit M – Financial Capability..... 36
 - N. Exhibit N – Need for Nongenerating Facility..... 37

O. Exhibit O – Water Use	38
P. Exhibit P – Fish and Wildlife Habitat	39
1. Required Surveys	39
2. Assessment of Impacts to Habitat and Sensitive Species	41
3. Proposed Monitoring and Mitigation.....	41
Q. Exhibit Q – Threatened and Endangered Species	42
R. Exhibit R – Scenic Resources	43
S. Exhibit S – Historic, Cultural and Archaeological Resources	44
T. Exhibit T – Recreation.....	45
U. Exhibit U – Public Services.....	46
V. Exhibit V – Wildfire Prevention and Risk Mitigation	47
W. Exhibit W – Solid Waste and Wastewater	49
X. Exhibit X – Facility Retirement	49
Y. Exhibit Y – Noise	50
Z. Exhibit Z – Cooling Tower Impacts	51
AA. Exhibit AA – Electric and Magnetic Fields	51
BB. Exhibit BB – Other Information	52
CC. Exhibit CC – Other Law	52
DD. Exhibit DD – Specific Standards.....	52
IV. ANALYSIS AREAS FOR THE PROPOSED FACILITY	52
V. EXPIRATION DATE OF THE NOTICE OF INTENT	61
VI. PROJECT ORDER AMENDMENT AND APPLICATION COMPLETENESS.....	61
VII. APPLICABILITY AND DUTY TO COMPLY.....	61

ATTACHMENTS:

- Attachment 1: Public Comments Received on NOI
- Attachment 2: Reviewing Agency Comments Received on NOI

TABLES:

Table 1: Proposed Pole Structure Type by Route	1
Table 2: Township, Range and Section(s) for West and East Route Alternatives	4
Table 3: Reviewing Agencies.....	5
Table 4: Example Facility Description	14
Table 5: Potentially Required Permits	19
Table 6: County and City of Medford Zones for Proposed Transmission Line Alternatives.....	33
Table 7: Protected Areas within 2 miles	34

Table 8: Habitat Categories Under OAR 635-415-0025 40
Table 9: New Industrial and Commercial Noise Source Standards Allowable Statistical Noise
Levels in Any One Hour (OAR 340-035-0035, Table 8) 50
Table 10: Analysis Areas..... 58

FIGURES:

Figure 1: Proposed 230 kV Transmission Line Route Alternatives 3

ACRONYMS AND ABBREVIATIONS

ACDP	Air Contaminant Discharge Permit
ACEC	Area of Critical Environmental Concern
applicant	PacifiCorp
ASC	Application for Site Certificate
BLM	Bureau of Land Management
BOC	Board of Commissioners
City	City of Medford
CWA	Clean Water Act
dba	A-weighted decibels
DEQ	Oregon Department of Environmental Quality
DLCD	Oregon Department of Land Conservation and Development
DNH	Determination of No Hazard
DOGAMI	Oregon Department of Geology and Mineral Industries
DSL	Oregon Department of State Lands
EFSC or Council	Energy Facility Siting Council
EFU	Exclusive Farm Use
EMF	Electromagnetic fields
EPA	United States Environmental Protection Agency
FAA	Federal Aviation Administration
GC	General Commercial
GI	General Industrial
kV	kilovolt
LCDC	Land Conservation and Development Commission
LDO	Land Development Ordinance
LLC	Limited liability corporation
LU	Limited Use
NERC	North American Electric Reliability Corporation
NOI	Notice of Intent to File an Application for Site Certificate
NPDES	National Pollutant Discharge Elimination System
NPCS-1	Sound Measurement Procedures Manual
OAR	Oregon Administrative Rule
ODAg	Oregon Department of Agriculture
ODOE or Department	Oregon Department of Energy
ODOT	Oregon Department of Transportation
ODFW	Oregon Department of Fish and Wildlife
OPRD	Oregon Parks and Recreation Department
ORS	Oregon Revised Statute
OSR	Open Space Reserve
Parent Company	Berkshire Hathaway Energy (Parent Company)
pASC	Preliminary Application for Site Certificate
Proposed Facility	Lone Pine to Whetstone 230 kV Transmission Line
PUC	Oregon Public Utilities Commission

RNA	Research Natural Area
ROW	Right-of-Way
RR-5	Rural Residential
RS	Rural Service Commercial
SAG	Special Advisory Group
SHPO	Oregon State Historic Preservation Office
USFWS	U.S. Fish and Wildlife Service
WCUR-4	White City Urban Residential-4
WECC	Western Electricity Coordination Council
WPCF	Water Pollution Control Facilities

1 **I. INTRODUCTION**

2
3 On April 27, 2023 the Oregon Department of Energy (ODOE or Department) received a Notice
4 of Intent to File an Application for a Site Certificate (NOI) for the Lone Pine to Whetstone 230
5 kilovolt (kV) Transmission Line (proposed facility).¹ The NOI was submitted by PacifiCorp
6 (applicant), an Oregon corporation doing business as Pacific Power. PacifiCorp is a wholly
7 owned subsidiary of Berkshire Hathaway Energy (Parent Company).

8
9 This Project Order summarizes the Department’s review of the NOI and establishes the
10 statutes, administrative rules, Council standards, application requirements and analysis area
11 requirements for the site certificate application.

12
13 **A. Facility Description**

14
15 The proposed facility is an aboveground 230 kV transmission line, with two proposed routes
16 extending over 10 miles in length, that would cross more than one jurisdiction.² The proposed
17 facility would connect the existing Lone Pine Substation to the existing Whetstone Substation
18 between the communities of White City and Medford in central Jackson County, Oregon.

19
20 The two route alternatives include the West Alternative Route, approximately 10.0 miles long,
21 and the East Alternative Route, approximately 12.1 miles long. Portions of the proposed
22 transmission line will be constructed parallel to existing transmission lines and/or roads to the
23 extent feasible (see Figure 1 below).

24
25 *Transmission Line Structures*

26
27 The transmission line structures will predominantly be an H-frame configuration using wood
28 poles or a single wood pole, similar to, structures of PacifiCorp’s existing 230-kV transmission
29 lines in the area. The structures will vary in height from about 75 to 105 feet. The span length
30 between structures will be approximately 400 to 600 feet. There will be approximately 12 to 14
31 structures per mile, with structures estimated by type in the table below.

32
Table 1: Proposed Pole Structure Type by Route

Structure Type	Alternative	
	West	East
H-frame	19	58
Single-Pole	114	64

¹ The receipt date of the NOI is based on the date all information, including updated property owner information, was submitted to the Department.

² Under ORS 469.300(11)(a)(C), a high voltage transmission line of more than 10 miles in length with a capacity of 230,000 volts or more proposed to be constructed in more than one city or county in Oregon is an “energy facility” subject to the jurisdiction of the Oregon Energy Facility Siting Council (EFSC or Council). Under ORS 469.320, no energy facility may be constructed or operated in Oregon without a Site Certificate from the Council.

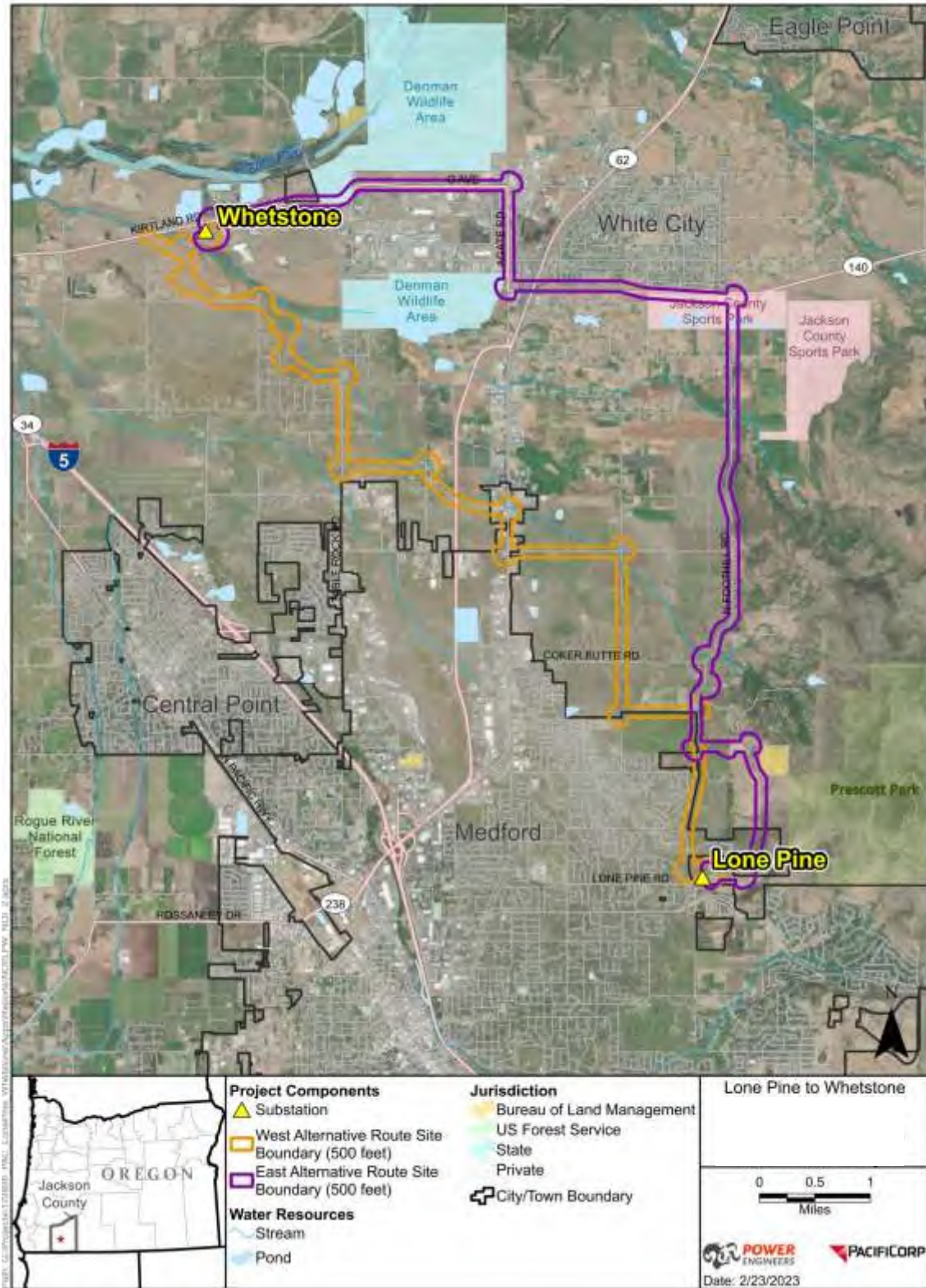
Table 1: Proposed Pole Structure Type by Route

Structure Type	Alternative	
	West	East
3-Pole at Heavy Angles	7	23
Total Estimated Structures	140	145

1
2
3
4
5
6
7
8

Other major components include support structures, structure components, and the transmission line Right-of-Way (ROW). The width of the ROW for both proposed routes will vary, depending on engineering requirements and local conditions (e.g., space constraints along the alignment), but will not exceed a width of 125 feet.

1 Figure 1: Proposed 230 kV Transmission Line Route Alternatives



2

1 **B. Facility Location**

2
3 The proposed facility will be located largely in unincorporated areas of central Jackson County,
4 generally north and east of the City of Medford in Jackson County. The proposed site boundary
5 includes both proposed alternatives, East and West; only one alternative will be selected and
6 constructed. Both route alternative corridors would be no more than 125 feet wide. The total
7 area of the 10-mile-long West alternative is approximately 152 acres. The total area of the 12.1-
8 mile-long East alternative is approximately 184 acres. The legal descriptions (Township, Range
9 and Sections) for the 2 proposed route alternatives are provided in the table below.
10

Table 2: Township, Range and Section(s) for West and East Route Alternatives

ALTERNATIVE ROUTE	TOWNSHIP	RANGE	SECTION
West	36S	1W	30, 31, 32, 33, 36
		2W	15, 22, 23, 24, 25, 26, 36
	37S	1W	04, 05, 06,08,09,16, 21
East	36S	1W	13, 17, 18, 19, 20, 21, 22, 24, 27, 28, 30, 33, 34
		2W	13, 14, 23
	37S	1W	03, 04, 09,10, 15, 16

11
12 **C. Applicant Information**

13
14 The applicant is PacifiCorp, doing business as Pacific Power, and is a wholly owned subsidiary of
15 Berkshire Hathaway Energy. PacifiCorp was incorporated on November 20, 1996 in the State of
16 Oregon with corporate offices in Portland, Oregon. PacifiCorp is an investor-owned utility and is
17 not a public or governmental entity, an individual, or an association of citizens, a joint venture,
18 a partnership, or a limited liability corporation (LLC).

19
20 The PacifiCorp Officer responsible for the NOI is:

21 John Aniello, Senior Project Manager, Project Management West
22 PacifiCorp
23 825 NE Multnomah Boulevard, 1600 LCT
24 Portland Oregon 97232
25 Phone: 503-813-6030
26 Email: John.Aniello@pacificcorp.com

27
28 PacifiCorp’s Attorney-in-Fact for the NOI is:

29 Garrett Stephens
30 Schwabe Williamson & Wyatt
31 PacWest Center
32 1211 SW Fifth Avenue Suite 1900
33 Portland, Oregon 97204
34 Phone: 503-796-2893

D. Procedural History

The applicant submitted an NOI to the Department, with the fee required under OAR 345-020-0006, on April 27, 2023.

In accordance with Oregon Revised Statute (ORS) 469.350 and Oregon Administrative Rule (OAR) 345-020-0040(1), the Department prepared a distribution list of state agencies with regulatory or advisory responsibility with respect to the siting of the proposed facility and local governments and tribal governments that could be potentially affected by the proposed facility. The reviewing agencies for the proposed facility are listed in Table 3. On May 17 and 18, 2023, the Department electronically distributed the NOI to the established distribution list, in accordance with OAR 345-020-0040.³

Table 3: Reviewing Agencies

State Agencies	
<ul style="list-style-type: none"> • Oregon Department of Agriculture • Oregon Department of Aviation • Oregon Department of Environmental Quality • Oregon Department of Fish and Wildlife • Oregon Department of Forestry • Oregon Department of Geology and Mineral Industries 	<ul style="list-style-type: none"> • Oregon Department of Land Conservation and Development • Oregon Department of State Lands • Oregon Office of State Fire Marshal • Oregon Public Utility Commission • Oregon State Historic Preservation Office • Oregon Water Resources Department
Special Advisory Groups (SAG)	
<ul style="list-style-type: none"> • Jackson County 	<ul style="list-style-type: none"> • City of Medford
Local Jurisdictions for Public Services	
<ul style="list-style-type: none"> • City of Central Point • City of Talent • City of Phoenix 	<ul style="list-style-type: none"> • City of Eagle Point • Jacksonville • City of Gold Hill
Other Reviewing Agencies	
<ul style="list-style-type: none"> • Pacific Northwest Electric Power and Conservation Planning Council 	
Tribal Governments	
<ul style="list-style-type: none"> • Confederated Tribes of Siletz Indians • Confederated Tribes of Grand Ronde • Cow Creek Band of Umpqua Indians 	

³ Distribution of the NOI and reviewing agency memos was conducted in accordance with OAR 345-020-0040, the rule in place at the time. After NOI distribution, on August 29, 2023, Council adopted changes to OAR 345-020-0040, resulting in the removal of the rule from OAR 345 Division 20, replaced by OAR 345-015-0120. To the extent that OAR 345-015-0120 differs from OAR 345-020-0040, those requirements did not apply to the procedural step of NOI and reviewing agency memo distribution for this proposed facility.

1 On May 17, 2023 the Department issued Public Notice of the NOI to persons on the Council's
2 general mailing list, special mailing list and to the owners of record of property located within
3 the distances specified in OAR 345-020-0010(1)(f)(A).⁴
4

5 Public Notice also appeared in the Daily Courier, a newspaper of general circulation for Jackson
6 County, on May 24, 2023.
7

8 The public notice provided information regarding the proposed facility and the EFSC review
9 process. The public notice announced that a public informational meeting on the NOI would be
10 held at the Rogue Regency Inn in Medford on June 7, 2023. The public notice requested public
11 comment on the NOI and established July 7, 2023 as the public comment deadline.
12

13 **1. Public Participation**

14

15 The Department held the NOI public informational meeting on June 7, 2023. The Department
16 and applicant appeared at the informational meeting and provided information about the siting
17 process and the proposed facility and responded to questions from the public.
18

19 The Department received written and oral comments, in addition to written and submitted
20 comments received via email and the Department of Energy's Public Comment Portal. All
21 written public comments received during the comment period were uploaded to the ODOE
22 Siting Docket⁵ and are available for online review. The audio recording of the Public Information
23 Meeting including oral comments received during that meeting, is available on the ODOE
24 project webpage.⁶ All public comments are summarized in the comment index and all written
25 comments are included in full in Attachment 1 of this Order.
26

27 A total of 41 public comments were submitted during the public comment period:

- 28 • 24 written comments were submitted to the Siting Division on comment cards at the
29 Public Information meeting, via email and the ODOE Siting Division comment portal.
- 30 • 3 commenters made oral comments during the public informational meeting.
- 31 • 14 comments were received by PacifiCorp from attendees during the public
32 informational meeting. These comments were provided to the Department by the
33 applicant after the meeting and have been included in the public comment index found
34 in Attachment 1.
35

36 While many of the public comments received related to ROW, property values, and
37 compensation of landowners fall outside the EFSC review and siting process, several
38 commenters raised concerns or questions that fall under the following EFSC standards: Land

⁴ Noticing conducted in accordance with OAR 345-015-0110, rules in place as of September 24, 2020.

⁵ Oregon Department of Energy Siting Docket Available at: [Siting Docket · Customer Self-Service \(powerappsportals.us\)](https://powerappsportals.us)

⁶ Oregon Department of Energy State of Oregon: Facilities - Lone Pine to Whetstone 230 kV Transmission Line Available At: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/LPW.aspx>

1 Use (zoning and impacts to agriculture), Public Services (fire, water, schools and
2 transportation/traffic), Wildfire Risk Prevention and Risk Mitigation, Siting Standards for
3 Transmission Lines (and electromagnetic fields (EMF) and other risks), Fish and Wildlife Habitat,
4 Recreation, Scenic Resources, and the Need Standard for non-generating facilities. Issues were
5 also raised on corona noise effects, which is evaluated in the EFSC process under DEQ's Noise
6 Control Regulation. Public comments included some that identified preference for one
7 alternative route over the other, while others opposed both proposed routes, or made no
8 distinction.

9
10 **2. Special Advisory Group Participation**

11
12 ORS 469.480(1) requires the Council to designate the governing body of any local government
13 within whose jurisdiction a facility is proposed to be located as a Special Advisory Group (SAG).
14 The proposed facility site is located within Jackson County and the City of Medford. The
15 governing body of Jackson County is the Jackson County Board of Commissioners. The
16 governing body of the City of Medford is the Medford City Council.

17
18 On March 22, 2023, the Department sent an introductory email notice of the pending SAG
19 appointment by Council and requested coordination meetings with the City of Medford and
20 Jackson County via their planning departments and staff for coordination and comments on the
21 NOI and EFSC review process and role of a SAG.

22
23 On March 24, 2023, at the scheduled EFSC meeting, the Council appointed the Jackson County
24 Board of Commissioners and the Medford City Council and Mayor as the SAGs for the proposed
25 facility.

26
27 On April 6, 2023 the Department held an online meeting with City of Medford and Jackson
28 County Planning Departments to discuss the Council review process, the role of the SAGs, the
29 pending NOI, and coordination and information requested by the Department once the NOI is
30 submitted and available for review and comment by the SAGs. Follow up information on the
31 EFSC review process was sent by the Department to both SAGs via email on April 26, 2023. The
32 complete NOI was submitted on April 27, 2023 and a Public Notice on the NOI and Public
33 Informational Meeting was issued on May 17, 2023 and sent to both SAGs in the email notice of
34 the NOI on May 17, 2023.

35
36 On May 18, 2023 the Department sent a letter via email notifying the SAGs of the NOI submittal
37 and Public Notice and requesting coordination and comments on the NOI. The Department
38 scheduled conference calls with Jackson County and City of Medford Planning Departments
39 individually (to discuss applicable substantive criteria, EFSC process and standards, specifically
40 Land Use and Public Services standards, and opportunities to comment on the NOI). The
41 Department also requested recommendations on applicable local substantive criteria from both
42 SAGs to be included as part of EFSC review of the proposed facility.

1 *City of Medford SAG*
2 The Department held a coordination call with the City of Medford representatives from the
3 planning department on June 26, 2023. In the call with the City of Medford, the staff on the call
4 stated that they were not requesting a coordination meeting with the City Council at that time,
5 and that they did not anticipate having significant comments on the NOI but would likely
6 submit formal comments on the application, once submitted and made available. No written
7 comments were received from the City of Medford SAG on the NOI.

8
9 *Jackson County SAG*
10 In a coordination email with Jackson County Planning Department on June 2, 2023, the
11 Department sent the County a reminder of the Public Information meeting on June 7, 2023 in
12 Medford. County Planning Department staff attended the public information meeting held in
13 Medford. On June 26, 2023 the Department held a follow up coordination call with the County
14 Planning Department to discuss the requested input and ways for the County to provide
15 comments on the NOI. In response to a request from Jackson County on the call, the
16 Department provided examples of comments from other SAGs on other, similar EFSC facilities,
17 and coordinated a call with the Jackson County Board of Commissioners (BOC). On August 10,
18 2023, the Department participated via conference call in a BOC meeting to answer questions
19 about EFSC siting and review process, the role of the SAG, and the NOI. The applicant also
20 participated in this meeting and provided information to the BOC on the proposed transmission
21 line, including the purpose and need and questions about ROW, that fall outside of the EFSC
22 review process. No written comments were submitted by the County on the NOI.

23
24 **3. Reviewing Agency Participation**

25
26 On May 18, 2023, the Department requested comments from state agencies with regulatory or
27 advisory responsibility with respect to the siting of the proposed facility (see Table 3 above).

28
29 Request for comment was sent to the Oregon State Historic Preservation Office (SHPO) via their
30 submittal portal on May 24, 2023. Follow up coordination emails to agency contacts were sent
31 on June 12, 2023 to the Oregon Department of Agriculture (ODAg), the Oregon Department of
32 Fish and Wildlife (ODFW), the Oregon Department of Land Conservation and Development
33 (DLCD), and Department of State Lands (DSL), Oregon Department of Aviation (ODAv), and
34 resulted in coordination calls with DLCD, Department of Geology and Mineral Industries
35 (DOGAMI), ODAg, DSL, and ODFW. Written comments on the NOI were received from DLCD,
36 ODAg, DOGAMI, ODFW and DSL, and are summarized below, and are included in full in
37 Attachment 2 of this Order. Recommendations from these reviewing agencies have been
38 incorporated into the ASC exhibit requirements and the analysis areas (See Sections III and IV of
39 this order), as applicable.

40
41 *DLCD Comments*

42 On June 27, 2023, the Department received written comments from Hilary Foote, Farm/Forest
43 Specialist with the Community Services Division of DLCD on the NOI. Comments related to
44 applicable Land Conservation Development Commission (LCDC) Statewide Planning Goals 3:

1 Agricultural Lands and 4: Forest Lands. On June 27, 2023 DLCD submitted written comments.
2 DLCD comments focused on the requirements of transmission line siting in resource zones: EFU
3 and Forest zones. For the EFU zone, DLCD references ORS 215.274-276 and LCDC rule OAR 660-
4 033-0130. DLCD comments state that “unless the line is co-located with an existing
5 transmission line, or is entirely parallel and adjacent to an existing transmission corridor or
6 within an existing ROW for some other linear facility, there will need to be a farmland mapping
7 exercise provided as part of the application identifying high-value farmland as defined in ORS
8 195.300” and that “there is a requirement that the applicant mitigate and minimize potential
9 impacts of the associated transmission line on surrounding lands devoted to farm use and that
10 the applicant needs to identify: 1) specific farm uses on surrounding lands, 2) the potential
11 impacts of a high voltage transmission line on those practices, and 3) mitigation and
12 minimization measures to reduce impacts to a less than significant level”. For the Forest zone,
13 DLCD commented that Jackson County has a Forest Open Space Zone. Because the proposed
14 ROW is over 100 feet, the applicant must submit information like that described above but for
15 Forest Use and demonstrate that the proposed transmission line would not significantly
16 increase fire hazard, fire suppression costs, or fire risk to fire suppression personnel.
17

18 *ODAg Comments*

19 On July 5, 2023, the Department received written comments from Jordan Brown, Program Lead
20 Conservation Biologist for the ODAg Native Plant Conservation Program on the NOI. ODAg
21 written comments identified known occurrences of two listed Threatened and Endangered
22 (T&E) plant species with both route alternatives intersecting these occurrences: Large-flowered
23 Meadowfoam and Cook’s Lomatium. ODAg would need more information to determine impacts
24 on either species. ODAg noted that in comparing proposed route alternatives, it appears that
25 the eastern route may have more of an impact on these two T&E listed species. ODAg also
26 notes that Oregon Fairy Poppy is a recently listed plant with the potential to occur in the
27 project area, but that there are no known occurrences and low probability. Rare plant surveys
28 should be conducted and include wetlands, vernal pools and potential for T&E plants.
29

30 *DOGAMI Comments*

31 On July 10, 2023, the Department received written comments from Jason McClaughry,
32 DOGAMI’s Geological Surveys & Services Program Manager on the NOI. DOGAMI comments
33 recommended sources to be reviewed in the application materials and that, “Specifically, the
34 applicant should provide, or at the least propose, a thorough geological characterization of the
35 site boundary and a comprehensive site-specific geotechnical assessment. This assessment
36 should include, but not be limited to seismic, liquefaction, slope stability (including lateral
37 spreading) along the length of the proposed facility with supporting evidence to explain that
38 the proposed facility can be appropriately constructed and operated. This is particularly true
39 given the variability in the geologic foundation along the length of the proposed facility and the
40 relatively high risk to the public.”
41

42 *ODFW Comments*

43 On July 12, 2023, the Department received written comments from Mathew Vargas, Rogue
44 District Wildlife Biologist with ODFW. The comments included information on state-sensitive

1 fish and wildlife species, identified in the applicable Oregon Conservation Strategy Unit as the
2 Klamath Mountains unit, and a highlighted list of potential state sensitive species and habitat
3 within the NOI study area (which falls within the Klamath Species Management Units used for
4 fish) and the Klamath Mountains ecoregion: Chinook Salmon (fall and spring), Coho Salmon,
5 Pacific Lamprey, Summer Steelhead, Foothill Yellow-legged frog, California Mountain
6 Kingsnake, Western Pond Turtle, Acord Woodpecker, Common Nighthawk, Flammulated Owl,
7 Grasshopper Sparrow, Great Gray Owl, Lewis’s Woodpecker, Oregon Vesper Sparrow, Purple
8 Martin (Western), White-headed Woodpecker, Yellow-breasted Chat, Fringed Myotis, Ringtail
9 and Townsend’s Big-eared Bat.

10
11 *DSL*

12
13 On August 14, 2023, the Department received written comment from Matthew Unitis,
14 Jurisdictional Coordinator for the DSL Aquatics Resources Management Program that requested
15 the completion and submittal of a wetlands delineation report prior to submitting comments
16 on the proposed facility.

17 18 **4. Tribal Government Participation**

19
20 On January 17, 2023 the applicant consulted with the Legislative Commission on Indian Services
21 to identify tribes that may be potentially affected by the proposed facility.

22
23 On January 17, 2023 the Commission named Confederated Tribes of Grand Ronde, The
24 Confederated Tribes of Siletz Indians, and the Cow Creek Band of Umpqua Indians as potentially
25 affected by the proposed facility.

26
27 On May 18, 2023 the Department sent letters via email requesting comments from the Tribal
28 Councils of the Confederated Tribes of Grand Ronde, The Confederated Tribes of Siletz Indians,
29 and the Cow Creek Band of Umpqua Tribe of Indians. Follow up emails requesting comments
30 and offering to schedule coordination meeting or calls were sent to each tribe June 12, 2023.
31 No comments were received from these tribal governments on the NOI.

32 33 **E. Application Review Process**

34
35 This Project Order establishes the statutes, administrative rules, Council standards, local
36 ordinances, application requirements and study requirements for the ASC in accordance with
37 ORS 469.330 and OAR 345-015-0160.

38
39 Section II of this Project Order outlines the EFSC regulatory framework and references the main
40 statutes and rules that govern the EFSC review process. Section III discusses the application
41 content requirements under OAR 345-021-0010. Section IV specifies the impact assessment
42 analysis areas for the proposed facility. Section V provides the expiration date of the NOI, and
43 Section VI discusses Project Order amendments and the requirements for the Department to
44 find the application for site certificate complete. Section VII describes the applicant’s duty to

1 comply with applicable requirements.

2

3 As provided in ORS 469.330(4), this Project Order is not a final order. The Department or
4 Council may amend this Project Order at any time.

5

6 **II. EFSC REGULATORY FRAMEWORK**

7

8 Under ORS 469.300(11)(a)(C), a high voltage transmission line of more than 10 miles in length
9 with a capacity of 230,000 volts or more proposed to be constructed in more than one city or
10 county in Oregon is an “energy facility” subject to the jurisdiction of the Oregon Energy Facility
11 Siting Council (EFSC or Council). Under ORS 469.320, no energy facility may be constructed or
12 operated in Oregon without a Site Certificate from the Council. Issuance of a site certificate is
13 governed by ORS 469.300 to 469.563, 469.590 to 469.619, 469.930 and 469.992 and OAR
14 chapter 345.

15

16 Issuance of a site certificate is governed by ORS 469.300 to 469.563, 469.590 to 469.619,
17 469.930 and 469.992 and OAR chapter 345. The following divisions of OAR chapter 345 include
18 rules related to application requirements, EFSC review of an application for site certificate
19 (ASC), and construction and operation of an approved facility:

20

21 **OAR Chapter 345, Division 21** (Site Certificate Application Requirements) includes the primary
22 site certificate application requirements. See Section III of this Project Order for specific
23 information related to the site certificate application requirements for the proposed facility.

24

25 **OAR Chapter 345, Division 22** (Council Standards for Siting Facilities) establishes the General
26 Standards which apply to all proposed energy facilities. The applicant must ensure that
27 information provided to satisfy the application requirements in Division 21 demonstrates
28 compliance with the associated standard in Division 22.

29

30 **OAR Chapter 345, Division 23** (Need Standard for Nongenerating Facilities) includes additional
31 standards for nongenerating facilities. The applicant must ensure that the information provided
32 to satisfy the application requirements in Division 21 demonstrates compliance with any
33 associated Division 23 standards that are applicable to the proposed facility. Because the
34 proposed facility is a transmission line, OAR 345-023-0005, Need for a Facility, applies.

35

36 **OAR Chapter 345, Division 24** (Specific Standards for Siting Facilities) includes additional
37 standards for specific categories of energy facilities. The applicant must ensure that the
38 information provided to satisfy the application requirements in Division 21 demonstrates
39 compliance with any associated Division 24 standards that are applicable to the proposed
40 facility. Because the proposed facility is a transmission line, OAR 345-024-0090, Siting Standards
41 for Transmission Lines, applies.

42

43 **OAR Chapter 345, Division 25** (Site Certificate Conditions) includes site certificate conditions
44 that EFSC must include in all site certificates, as well as applicable site-specific and monitoring

1 conditions. As provided in OAR 345-025-0006(10), the Council will include all representations
2 made in the ASC and supporting record that are necessary to either comply with and/or
3 adequately mitigate a potentially significant impact to a resource protected by a Council
4 standard as conditions of approval if the application is approved.
5

6 **OAR Chapter 345, Division 26** (Construction and Operation Rules for Facilities) includes the
7 compliance plan requirements that will apply if the Council issues a site certificate for the
8 proposed facility. Note that, if a site certificate is issued, the certificate holder must also comply
9 with additional construction- and operation-related regulations that may apply to the proposed
10 facility but that may not be covered by the site certificate, per ORS 469.401(4).
11

12 **III. APPLICATION REQUIREMENTS**

13

14 The applicant must submit information required under OAR 345-021-0010, including, for all
15 state and local government agency permit approvals that the applicant proposes to be included
16 in and governed by the site certificate, the submittal of information that would otherwise be
17 required by the state or local government agency in an application for such permit, license, or
18 certificate.⁷
19

20 The applicant must submit copies of the applications for federally delegated permits that are
21 needed for construction or operation of the proposed facility.⁸
22

23 OAR 345-021-0010(1) identifies the exhibits that must be included in the application. The
24 specific subsections and paragraphs of OAR 345-021-0010(1) that apply to the proposed facility
25 are indicated in the sections below. Each exhibit must include a table of contents.⁹
26

27 Under OAR 345-021-0010(2) relevant documents prepared in connection with an
28 environmental assessment or environmental impact statement for the proposed facility under
29 the National Environmental Policy Act of 1970, if any, may contain some of the information
30 required under section (1) of this rule. The applicant may copy relevant sections of such
31 documents into the appropriate exhibits of the site certificate application. The applicant may
32 otherwise submit full copies of those documents and include, in the appropriate exhibits of the
33 site certificate application, cross-references to the relevant sections of those documents. The
34 applicant may use such documents only to avoid duplication. The applicant must include
35 additional information in the site certificate application as needed to meet the requirements of
36 section (1) of this rule.
37

38 **A. Exhibit A – General Information about the Applicant and Participating Persons**

39

40 **Applicable Paragraphs:** OAR 345-021-0010(1)(a)(A), (B), and (H)

⁷ OAR 345-021-0000(6)

⁸ OAR 345-021-0000(7)

⁹ OAR 345-021-0010(3).

1 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]
2 **Discussion:** Under OAR 345-021-0010(1)(a)(A), Exhibit A must identify the legal name and
3 address of the applicant and any co-owners of the proposed facility. The application must
4 provide the name, mailing address, email address and telephone number of at least one
5 contact person for the applicant, and if there is a contact person other than the applicant, the
6 name, title, mailing address, email address and telephone number of that person.

7
8 The NOI identifies PacifiCorp as the applicant. Applicant must notify the Department of any
9 changes in the legal name or entity of the applicant. The Department may request that Exhibit
10 A be amended to reflect the change or may accept an alternate form of documentation to
11 document the change on the record of the ASC.

12
13 The applicant is PacifiCorp, doing business as Pacific Power, and is a wholly owned subsidiary of
14 Berkshire Hathaway Energy. The Department may request that Exhibit A be amended to reflect
15 the change or may accept an alternate form of documentation to document the change on the
16 record of the ASC.

17
18 Under OAR 345-021-0010(1)(a)(B), Exhibit A must identify any participating entities other than
19 the applicant, including but not limited to, the parent company of the applicant and any
20 persons upon whom the applicant will rely for third-party permits or approvals related to the
21 facility, and, if known, other persons upon whom the applicant will rely in meeting any facility
22 standard adopted by the Council.

23
24 As previously noted, PacifiCorp is an investor-owned utility and is not a public or governmental
25 entity or an LLC. PacifiCorp was incorporated on November 20, 1996 in the State of Oregon.

26
27 **B. Exhibit B – General Information about the Proposed Facility**

28
29 **Applicable Paragraphs:** OAR 345-021-0010(1)(b)(A)(ii) through (v), (B), (C), (D), (E) and (F).

30 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]

31 **Discussion:** Exhibit B must provide information about the proposed facility, construction
32 schedule and temporary disturbances of the site. Applicant should address all provisions
33 applicable to transmission lines, including the corridor assessment required under OAR 345-
34 021-0010(1)(b)(E).

35
36 Under OAR 345-021-0010(1)(b)(A) through (C) and (E), Exhibit B must include a description of
37 the facility that includes, at a minimum:

- 38
39
 - A detailed description of all transmission components, including:
 - 40 ○ The approximate length of the transmission line route alternatives;
 - 41 ○ Verification of the rated voltage, load carrying capacity, and type of current of
 - 42 the proposed transmission lines;
 - 43 ○ A description of transmission line structures and their dimensions.

- 1 ○ The proposed ROW width of the transmission line, including to what extent new
- 2 ROW will be required or existing ROW will be widened;
- 3 ○ A description of all transmission line segments proposed to be located within
- 4 public ROW. For transmission line segments proposed to follow an existing road,
- 5 the applicant must state to which side of the existing road, the proposed facility
- 6 will run, to the extent this is known.
- 7 ○ If the applicant proposes to locate any portion of the transmission lines adjacent
- 8 to but not within a public ROW, the application must explain why the public
- 9 ROW is not being utilized based on a set of clear and objective criteria.
- 10 • The capacity, dimensions, type, and configuration of related or supporting facilities
- 11 • A site plan showing the general arrangement of structures, including any proposed
- 12 temporary laydown or staging areas and any proposed micrositing corridors. Note that if
- 13 the applicant seeks flexibility to site proposed facility components anywhere within the
- 14 site boundary, or seeks approval of a micrositing corridor, the applicant must evaluate
- 15 impacts to resources within the entire site boundary or micrositing corridor based on
- 16 maximum the impact facility layout option within the site boundary or micrositing area,
- 17 if different.
- 18 • Identification and description of all fuel and chemical storage facilities, including
- 19 temporary and permanent structures and systems for spill containment.
- 20 • Equipment and systems for fire prevention and control in any system components,
- 21 including water tanks, internal fire suppression systems, and access and egress points
- 22 for fire responders.

23
24 The description must be in both narrative and tabular format. *Examples of an energy facility*
25 *table from a transmission line are included below for illustrative purposes.*
26

Table 4: Example Facility Description

Structure Type	Number of Structures	Height (ft)	Distance Between Structures (ft)	Construction Disturbance Area per Structure (ft)	Operational Disturbance Area per Structure (ft)
500-kV Single-Circuit Lattice Steel Structure	1,076	109-200	1,200-1,800	250 x 250	50 x 50
500-kV Single-Circuit Tubular Steel Pole H-Frame Structure (NWSTF Boardman area)	70	65-105	350-950	90 x 250 on NWSTF and 150 x 250 off NWSTF	40 x 10
Rebuild Single-Circuit 138-kV Wood H-Frame Structure	9	51-61	500-750	250 x 150	16.5 x 5

Table 4: Example Facility Description

Structure Type	Number of Structures	Height (ft)	Distance Between Structures (ft)	Construction Disturbance Area per Structure (ft)	Operational Disturbance Area per Structure (ft)
500-kV Single-Circuit Tubular Steel Pole H-Frame	6	65-105	450-900	250 x 250	40 x 10
Rebuild Single Circuit 230-kV Steel H-Frame Structure	5	57-75	400-1,200	250 x 100	25 x 5

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The information in Exhibit B must be as complete and accurate as possible. If the application is approved, the information will form the basis for the description of the facility in the site certificate. As provided under OAR 345-025-0006(3)(a), the site certificate will contain conditions requiring certificate holders to design, construct, operate and retire the facility substantially as described in the site certificate.

Under OAR 345-021-0010(1)(b)(D), Exhibit B must include a corridor selection assessment explaining how the applicant selected the corridors for analysis in the application. The applicant may select any corridor for the assessment and may seek approval for more than one corridor. If the applicant includes a corridor that was not identified in the NOI or presented for comment at an informational meeting the applicant must explain why the applicant did not present the new corridor for comment at an informational meeting. In the assessment, the applicant must discuss the reasons for selecting the corridors, based upon evaluation of the following factors:

- Least disturbance to streams, rivers and wetlands during construction;
- Least percentage of the total length of the transmission line that would be located within areas of Habitat Category 1, as defined in OAR 635-415-0025(1).
- Greatest percentage of the total length of the transmission line that would be located within or adjacent to public roads and existing pipeline or transmission line rights-of-way;
- Least percentage of the total length of the transmission line that would be located within lands that require zone changes, variances or exceptions;
- Least percentage of the total length of the transmission line that would be in a protected area as described in OAR 345-022-0040;
- Least disturbance to areas where historical, cultural or archaeological resources are likely to exist;
- Greatest percentage of the total length of the pipeline or transmission line that would be located to avoid seismic, geological and soils hazards;
- Least percentage of the total length of the transmission line that would be located within lands zoned for exclusive farm use.

1 Under OAR 345-021-0010(1)(b)(F), Exhibit B must include a construction schedule including a
2 description of all primary construction activities that will be performed at the site and the
3 estimated timing of those activities. “Construction activities” include all work performed at the
4 site, excluding surveying, exploration, or other activities to define or characterize the site. The
5 construction schedule must be provided in sufficient detail to ensure construction activities will
6 be completed within any required work-windows required to avoid or minimize impacts on
7 sensitive resources.

8
9 For the purposes of the ORS 469.320 and 469.370(12), construction of the facility begins when
10 the cost of all construction activities performed at the site exceed \$250,000. The construction
11 schedule included in Exhibit B must describe any construction activities that have been or will
12 be performed at the site prior to issuance of the site certificate and an estimate of the cost of
13 that work.

14
15 The construction schedule should specify the date by which applicant proposes to begin
16 construction of the facility and the date by which the applicant proposes to complete
17 construction activities. If the applicant proposes to construct the facility in phases, the
18 construction schedule should describe the timing of construction activities for each phase.

19
20 Exhibit B must also describe routine operations and maintenance activities that will be
21 performed during operation of the facility, including any anticipated need to replace or
22 repower facility components, and the expected timeline for decommissioning the facility, if any.

23 24 C. Exhibit C – Location

25
26 **Applicable Paragraphs:** OAR 345-021-0010(1)(c)(A) and (B).

27 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]

28 **Discussion:** Exhibit C must include information about the proposed facility site.

29 Under OAR 345-021-0010(1)(c)(A), Exhibit C must include maps showing the proposed locations
30 of the energy facility site, all related or supporting facility sites, and all areas that might be
31 temporarily disturbed during construction of the facility in relation to major roads, water
32 bodies, cities and towns, important landmarks and topographic features.

33
34 Maps included in the application must provide enough information for property owners
35 potentially affected by the proposed facility to determine whether their property is within or
36 adjacent to property on which the site boundary is located. Major roads must be accurately
37 named. Maps included in the application must use a scale of 1 inch = 2000 feet, or smaller
38 when necessary to show detail.

39
40 The maps must identify all proposed transmission line routes and corridors for which the
41 applicant seeks Council approval. If the applicant seeks flexibility to site facility components
42 within a proposed micro-siting corridor within the site, the corridor must be clearly identified in
43 the maps.

1 Under OAR 345-021-0010(1)(c)(B), Exhibit C must also include a narrative description of the
2 proposed energy facility site, the proposed site of each related or supporting facility and areas
3 of temporary disturbance, including the total land area (in acres) within the proposed site
4 boundary, the total area of permanent disturbance, and the total area of temporary
5 disturbance. Where the proposed transmission corridors follow the right-of-way of a road,
6 pipeline, or transmission line, the maps must indicate which side of the road, pipeline, or
7 transmission line the corridor includes.

8
9 In addition to the maps and narrative described above, the Department requests GIS data
10 showing the site boundary and any micrositing corridors proposed by the applicant and the
11 general location of facility components to the best knowledge of the applicant at the time the
12 application is submitted, including but not limited to: transmission line corridors, and
13 temporary work areas, including laydown yards, and areas of known ground disturbance.

14
15 **D. Exhibit D – Organizational Expertise**

16
17 **Applicable Paragraphs:** All paragraphs apply.

18 **Related Council and Other Standards:** Organizational Expertise [OAR 345-022-0010]

19 **Discussion:** Exhibit D must include information about the organizational expertise of the
20 applicant to construct and operate the proposed facility, providing evidence to support a
21 finding that the applicant has the ability to construct, operate, and retire the proposed facility
22 in compliance with Council standards and conditions of the site certificate; and, in a manner
23 that protects public health and safety.

24
25 If the applicant will rely on the organizational expertise or financial capability of its parent
26 company to construct and operate the proposed facility, Exhibit D must include a guarantee of
27 performance from the Parent Company. The guarantee will assure the applicant's obligations
28 under the site certificate and indemnifies the Council against costs and expenses it may incur
29 because of the enforcement of the Site Certificate. The applicant must coordinate with the
30 Department to obtain the appropriate form and content of this guarantee.

31
32 Under OAR 345-021-0010(1)(d)(A), Exhibit D must describe the applicant's previous experience,
33 if any, in constructing and operating facilities like the proposed facility. The description should
34 include, at a minimum, the size, location, and date of commercial operation for any facilities
35 upon which the applicant wishes to rely as evidence of organizational expertise. The description
36 should also provide an analysis of similarities and differences between the sites of the facilities
37 and their sites, including engineering and environmental constraints at each.

38
39 Under OAR 345-021-0010(1)(d)(B) and (C), Exhibit D must describe the qualifications of the
40 applicant's personnel who will be responsible for constructing and operating the facility, and
41 the qualifications of any architect, engineer, major component vendor, or prime contractor
42 upon whom the applicant will rely in constructing and operating the facility, to the extent that
43 the identities of such persons are known when the application is submitted.

1 Under OAR 345-021-0010(1)(d)(D), Exhibit D must describe the compliance history of the
2 applicant, its parent company or co-owner(s) and their subsidiaries, and other participating
3 entities, including disclosure any regulatory citations in any jurisdiction received by the past 10
4 years and a description of the status or resolution of those citations.

5
6 Under OAR 345-021-0010(1)(d)(G), Exhibit D must include evidence that the applicant can
7 successfully complete any mitigation proposed to demonstrate compliance with any applicable
8 Council standards, including a description of past experience with other projects and the
9 qualifications, experience, and contact information of personnel upon whom the applicant will
10 rely, to the extent that the identities of such persons are known at the date of submittal. The
11 applicant must provide evidence that past mitigation projects required as part of a land use
12 approval or other permitting process were completed successfully, such as final reports
13 submitted to the permitting agency.

14 15 E. Exhibit E – Permits

16
17 **Applicable Paragraphs:** All paragraphs apply.

18 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]

19 **Discussion:** Under OAR 345-021-0010(1)(e)(A) and (B), Exhibit E must identify all federal, state,
20 and local government permits related to the siting of the proposed facility. ORS 469.310
21 establishes the Council’s comprehensive licensing authority, which is referred to as a “one-
22 stop” consolidated permitting process. Permits related to the siting of the proposed facility
23 should be included in and governed by the site certificate to consolidate permitting processes,
24 consistent with ORS 469.310; however, it is the applicant that must identify whether permits
25 should be governed by the site certificate. For each permit, Exhibit E must include:

- 26 • A description of the permit and the reasons the permit is needed.
- 27 • A legal citation of the statute, rule or ordinance governing the permit.
- 28 • The name, mailing address, email address and telephone number of the agency or
29 office responsible for the permit.
- 30 • The applicant’s analysis of whether the permit should or should not be included in
31 and governed by the site certificate.

32
33 Under OAR 345-021-0010(1)(e)(C) for any state or local government agency permits, licenses or
34 certificates that are proposed to be included in and governed by the site certificate, Exhibit E
35 must also provide evidence to support findings by the Council that construction and operation
36 of the proposed facility will comply with the statutes, rules, and standards applicable to the
37 permit. Information about removal-fill permits must be provided in Exhibit J. Provide
38 information about any necessary water rights or permits in Exhibit O.

39
40 Under OAR 345-021-0010(1)(e)(E), if the applicant will rely on a contractor or third party to
41 obtain a required state or local permit, license or certificate that would otherwise be governed
42 by the site certificate, Exhibit E must also include evidence that the applicant has, or has a
43 reasonable likelihood of entering into, a contract or other agreement with the third party for

1 access to the resource or service to be secured by that permit and evidence that the third party
 2 has, or has a reasonable likelihood of obtaining, the necessary permit.

3
 4 Although the Council does not have jurisdiction over federally delegated permits, the Council
 5 may rely on the determinations of compliance and the conditions in federally delegated permits
 6 in evaluating the application for compliance with Council standards. Under OAR 345-021-
 7 0010(1)(e)(D), Exhibit E must include evidence that the responsible agency for any federally
 8 delegated permitted program has received a permit application. The applicant must provide the
 9 estimated date when the responsible agency will complete its review and issue a permit
 10 decision. If the applicant will rely on a contractor or third party to obtain a required federally-
 11 delegated permit, Exhibit E must also include the information required by OAR 345-021-
 12 0010(1)(e)(F).

13
 14 Table 5 lists permits that may be required for the proposed facility. Please see the discussion
 15 that follows this table for additional information.
 16

Table 5: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
<i>Federal and Federally Delegated Permits</i>		
Federal Aviation Administration	Notice of Proposed Construction or Alteration (Form 7460-1)	Not Jurisdictional
	Supplemental Notice of Actual Construction or Alteration (Form 7460-2)	Not Jurisdictional ¹
U.S. Army Corps of Engineers	Clean Water Act (CWA), Section 404 Permit	Not Jurisdictional, but information required for completeness ¹
U.S. Fish and Wildlife Service (USFWS)	Endangered Species Act, Section 7 Consultation	Not Jurisdictional
Oregon Department of Environmental Quality	Oregon DEQ Basic Air Contaminant Discharge Permit	Not Jurisdictional, but information required for completeness ¹
	Section 401 Water Quality Certification	Not Jurisdictional, but information required for completeness ¹
	NPDES Construction Stormwater 1200-C Permit	Not Jurisdictional, but information required for completeness ¹
<i>State (Oregon Only)</i>		
Oregon Public Utilities Commission	Certificate of Public Convenience and Necessity	Not Jurisdictional

Table 5: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
Oregon Department of State Lands	Removal-Fill Permit	Jurisdictional if proposed by applicant
Oregon Department of Environmental Quality	Water Pollution Control Facilities (WPCF) General Permit 1000	Jurisdictional if proposed by the applicant ¹
	WPCF General Permit 1700-B	Jurisdictional if proposed by the applicant ¹
Oregon Department of Transportation	Permit to Construct a State Highway Approach	Not Jurisdictional ²
	Permit to Operate, Maintain, and Use a State Highway Approach	Not Jurisdictional ²
	Permit to Occupy or Perform Operations Upon a State Highway	Not Jurisdictional ²
	Oversize Load Movement Permit/Load Registration	Not Jurisdictional ²
State Historic Preservation Office	Archeological Excavation Permit	Jurisdictional if proposed by applicant
Oregon Department of Aviation	Notice of Proposed Construction or Alteration (Form 7460-1)	Jurisdictional
Local (Oregon)		
Jackson County	Administrative Type II Land Use Permit	Jurisdictional
	Administrative Type III Land Use Permit	Jurisdictional
	Riparian Crossing Approval	Jurisdictional
	Site Plan Review	Jurisdictional
	Floodplain Development Permit	Jurisdictional if proposed by applicant
	Utility Crossing Right-of-Way Permit	Not Jurisdictional ²
	Utility Permit	Not Jurisdictional ²
City of Medford	Administrative Type III Land Use Permit	Jurisdictional
¹ Under OAR 345-021-0010(1)(e) the application must identify all federal, state and local government permits related to the siting of the proposed facility. For federally delegated permits, the application must include evidence that the responsible agency has received a permit application and the estimated date when the responsible agency will complete its review and issue a permit decision. The department requests this evidence be provided for all federal permits.		

Table 5: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
² Under ORS 469.401(4), matters including but not limited to employee health and safety, building code compliance, wage and hour or other labor regulations, local government fees and charges or other design or operational issues that do not relate to siting the facility are not included in or governed by the site certificate.		

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1. Federal Permits

U.S. Army Corps of Engineers – Section 404 Permit

Statute and Rule References: CWA, Section 404; 33 CFR 1344.

EFSC Jurisdiction: Not Jurisdictional, but information required for completeness.

Discussion: Section 404 of the CWA requires authorization from the Secretary of the Army, acting through the Corps of Engineers, for the discharge of dredged or fill material into all waters of the United States, including wetlands. Note that a Section 401 Water Quality Certification from the State of Oregon is generally required before a Section 404 permit may be granted. The Section 404 permit and the 401 Water Quality Certification are separate from the Removal-Fill permit required under Oregon State Law, however, there is a Joint Permit Application that satisfies the information requirements for all three. The applicant must provide a letter or other indication from the Corps stating that it has received a Joint Permit Application for the proposed facility, identifying any additional information it is likely to need from the applicant based on the agency’s review of the application, and providing an estimated date for when it will complete its review and issue a permit decision.

2. Federally Delegated Permits

Oregon Department of Environmental Quality – Air Quality Division

Basic Air Contaminant Discharge Permit (ACDP)

Statute and Rule References: OAR Chapter 340, Division 216

EFSC Jurisdiction: Not jurisdictional, but information needed for completeness (unless obtained by third-party; see Third-Party Permits discussion)

Discussion: The United States Environmental Protection Agency (EPA) has delegated authority to the Oregon Department of Environmental Quality (DEQ) to administer air quality under the Clean Air Act. A Basic ACDP authorizes operation of a concrete manufacturing plant that produces more than 5,000 but less than 25,000 cubic yards per year output. ACDPs for mobile, temporary concrete batch plants are associated with the equipment itself. The requirements of OAR 345-021-0000(6) would apply to this federally delegated permit. If the applicant’s third-party contractor would instead obtain the ACDP, the requirements described in the Third-Party Permits section below would apply.

Oregon Department of Environmental Quality – Water Quality Division

Section 401 Water Quality Certification

Statute and Rule References: CWA, Section 401; OAR Chapter 340, Division 48

1 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.
2 **Discussion:** Under Section 401 of the CWA, federal agencies cannot issue a license or permit
3 before Oregon DEQ decides that the proposed facility can meet Oregon water quality
4 standards. Any conditions that DEQ sets then become conditions of the federal permit or
5 license. The Section 401 Water Quality Certification and the Section 404 permitting decision it
6 supports are separate from the Removal-Fill permit required under Oregon State Law, however,
7 there is a Joint Permit Application that satisfies the information requirements for all three. The
8 applicant must provide the Joint Permit Application and proof of its submission to all relevant
9 agencies to the Department before the ASC will be determined to be complete.

10

11 *National Pollutant Discharge Elimination System (NPDES) Construction Stormwater 1200-C*
12 *permit*

13 **Statute and Rule References:** ORS Chapter 468B; OAR Chapter 340, Division 45

14 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

15 **Discussion:** The EPA has delegated authority to DEQ to issue NPDES Stormwater Discharge
16 permits for construction and operation activities. Based upon the information in the NOI, a
17 NPDES 1200-C permit would likely be required for facility construction.

18

19 In accordance with OAR 345-021-0000(6), the applicant must submit to the Department one
20 copy of all applications for federally delegated permits (including the NPDES permit) or provide
21 a schedule of the date by which the applicant intends to submit the application. Unless this
22 permit will be obtained by a third-party (see Section **Error! Reference source not found.**), the
23 Department will not be able to find the application for site certificate complete before receiving
24 a copy of the NPDES permit application and a letter or other indication from DEQ. The DEQ
25 response must state that the agency has received a permit application from the applicant and
26 provide an estimated date when the agency will complete its review and issue a permit
27 decision. The applicant may incorporate this information into Exhibit I (Soils) or Exhibit BB
28 (Other Information) of the ASC.

29

30 *NPDES Stormwater and Mine Dewatering Discharge 1200-A permit*

31 **Statute and Rule References:** ORS Chapter 468B; OAR Chapter 340, Division 45

32 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness (unless
33 obtained by a third party).

34 **Discussion:** This permit would be applicable to a batch plant, if used during construction.
35 If the batch plant would not discharge to surface waters, a WPCF General Permit 1000 would
36 instead be required to dispose of process wastewater and stormwater by recirculation,
37 evaporation, and/or controlled seepage (see the State Permits discussion below).

38

39 **3. State Permits**

40

41 ***Oregon Public Utilities Commission***

42 **Statute and Rule References:** ORS 758.015; OAR 860-025-0030-0040

43 **Permit:** Certificate of Public Convenience and Necessity

44 **EFSC Jurisdiction:** Not EFSC jurisdictional.

1 **Discussion:** Required if construction of an overhead transmission line will necessitate a
2 condemnation of land or an interest therein. The Oregon Public Utilities Commission (PUC) will
3 consider whether the transmission line will meet a need for additional transmission capacity
4 and reliability in the electricity grid; whether it will be operated in a way that protects the
5 public from danger; whether the proposed route is practicable and feasible; whether the public
6 benefits and costs justify the proposed facility; and other factors the PUC deems relevant under
7 the law.

8
9 ***Oregon Department of State Lands***

10 **Statute and Rule References:** ORS 196.795-990 (Removal of Material, Filling), OAR Chapter 141,
11 Division 85 (Administrative Rules Governing the Issuance and Enforcement of Removal-Fill
12 Authorizations Within Waters of Oregon Including Wetlands).

13 **Permit:** Removal-Fill Permit

14 **EFSC Jurisdiction:** EFSC jurisdictional

15 **Discussion:** A removal-fill permit is required if any removal or fill activities occur in streams
16 designated as Essential Indigenous Anadromous Salmonid Habitat or 50 cubic yards or more of
17 material is removed, filled, or altered within a jurisdictional water of the state [OAR 141-085-
18 0520(2) and (5)].

19
20 The applicant must conduct a wetland delineation, to be sent to Department of State Lands
21 (DSL) for concurrence, according to OAR Chapter 141, Division 90 rules. The wetland
22 delineation determines the location of “waters of this state,” as defined in OAR 141-085-
23 0510(91), within the analysis area. Comments received from DSL on the NOI are included in
24 Attachment 2 of this order and identify the need for a wetland delineation report and removal
25 fill permit be submitted to DSL as part of the ASC.

26
27 Depending upon facility impacts to “waters of this state” a removal-fill permit may be
28 necessary, and the application for site certificate should include information establishing
29 whether a removal-fill permit is required. If a removal-fill permit is required, the ASC shall
30 include a concurred delineation from DSL and a complete application for an individual permit
31 which demonstrates consistency with ORS 196.825(1) and provides enough information for
32 determinations and considerations under ORS 196.825(3) and OAR 141-085-0565.

33
34 A Compensatory Wetland Mitigation Plan which meets the requirements of OAR 141-085-0680
35 through OAR 141-085-0715 must be provided to replace all lost functions and values previously
36 provided by the impacted wetlands and waterways.

37
38 If the proposed facility requires any dredge or fill of waters of the United States, the applicant
39 must submit to the Department one copy of an application for a Section 404 permit, in
40 accordance with OAR 345-021-0000(6), and a Section 401 Water Quality Certificate must be
41 granted by DEQ before a Section 404 may be issued. The DSL (removal-fill permit) and the
42 Corps (Section 404 permit) use a joint application form. As discussed previously with regard to
43 Exhibit E and federally-delegated permits outside of Council jurisdiction, the Applicant must
44 provide a letter or other indication from the Corps stating that the agency received a permit

1 application from the applicant, identifying any additional information the agency is likely to
2 need from the applicant based on the agency’s review of the application, and an estimated date
3 for when the agency will complete its review and issue a permit decision.

4
5 ***Oregon Department of Environmental Quality***

6 **Statute and Rule References**

7 **Permits**

- 8 • Water Pollution Control Facilities (WPCF) General Permit 1000- EFSC-jurisdictional
9 unless obtained by third-party; see Third-Party Permits discussion.

10 **Discussion:** If a temporary batch plant is necessary, disposal of concrete batch plant wash water
11 would require either a Water Pollution Control Facilities (WPCF) General Permit 1000 or a
12 NPDES permit. Concrete batch plants that dispose of process wastewater and stormwater by
13 recirculation, evaporation, and/or controlled seepage with no discharge to surface waters
14 require a WPCF General Permit 1000. A WPCF General Permit 1000 is a state permit under
15 Council jurisdiction. If the applicant’s third-party contractor would obtain the necessary WPCF
16 General Permit 1000 directly from DEQ, this permit would be related to the siting and operation
17 of the proposed facility but would not be included in and governed by the site certificate (see
18 the Third-Party Permits discussion below). If the batch plant was to instead discharge
19 stormwater from a point source to surface water or to a conveyance system that discharges to
20 surface water, the plant would require an NPDES 1200-A permit or coverage under the NPDES
21 1200-C permit for the construction yard in which it would be located (as discussed under the
22 federally delegated permits discussion of this Project Order).

23
24 ***Oregon Water Resources Department***

25 **Statute and Rule References**

- 26 • ORS 537.110-.330 (Appropriation under 1909 Act; Limited Licenses)
27 • ORS 537.505-.795 and ORS 537.992 (collectively, Ground Water Act of 1955)
28 • ORS 537.992 (Civil Penalties)
29 • ORS 540.505-.589 (Changes in Use of Water; Transfer of Water Rights; Exchange)
30 • OAR Chapter 690, Division 310 (Water Right Application Processing)
31 • OAR Chapter 690, Division 340 (Water Use Authorizations)
32 • OAR Chapter 690, Division 410 (Statewide Water Resource Management)

33 **Permits**

- 34 • Water Right Permit or Water Use Authorization - EFSC jurisdictional
35 • Limited License - EFSC jurisdictional

36 **Discussion:** As represented in NOI Exhibit J, the applicant proposes to obtain water from
37 existing private or municipal water sources with valid water rights and trucked to the site.
38 Water right permits, limited water use licenses, and other water authorizations for energy
39 facilities are subject to review and authorization by the Council, and any permit should be
40 included in and governed by the site certificate.

41
42 ***Oregon Department of Transportation***

43 **Statute and Rule References**

- 1 • ORS 818.030 (Exemptions from Weight Limitations); ORS 374
- 2 • OAR Chapter 734, Division 82 (Variance Permits Issued for Non-Divisible Loads and Road
- 3 Use Assessment Fees)
- 4 • OAR Chapter 734, Division 51 (Highway Approaches, Access Control, Spacing Standards,
- 5 and Medians)
- 6 • OAR Chapter 734, Division 55 (Pole Lines, Buried Cables, and Miscellaneous Operations)

7 **Permits:**

- 8 • Permit to Construct a State Highway Approach: Permit to Operate, Maintain, and Use a
- 9 State Highway Approach – Not EFSC jurisdictional, no further information needed in
- 10 ASC.
- 11 • Permit to Occupy or Perform Operations Upon a State Highway – Not EFSC
- 12 jurisdictional, no further information needed in ASC.
- 13 • Oversize Load Movement Permit/Load Registration – Not EFSC jurisdictional, no further
- 14 information needed in ASC.

15 **Discussion:** Various permits from Oregon Department of Transportation (ODOT) may be
 16 required prior to construction of the facility. Access from Oregon state highways would require
 17 an access permit. Utility installations within the right-of-way of a state highway in Oregon
 18 require an Occupy or Perform Operations upon a State Highway permit. Movement of
 19 construction cranes and other large equipment and materials could also require an Oversize
 20 Load Movement permit. These permits are not related to facility siting and are not included in
 21 or governed by the site certificate. The applicant or its contractor must secure any applicable
 22 ODOT permits directly from ODOT, independent of the site certificate process. The impacts
 23 associated with road use and modifications, however, must be evaluated in Exhibit U.

24
 25 **State Historic Preservation Office**

26 **Statute and Rule References:** ORS Chapter 97, 358, and 390; OAR Chapter 736, Division 51

27 **Permits:** Archaeological Excavation Permit

28 **EFSC Jurisdiction:** May be EFSC jurisdictional if proposed in ASC; if so, then ASC materials
 29 required

30 **Discussion:** Per ORS 390.235 and 358.920 a person may not excavate, injure, destroy, or alter
 31 an archaeological site or object or remove an archaeological object located on public or private
 32 lands in Oregon unless that activity is authorized by an Archaeological Permit issued by SHPO.
 33 Because there are previously identified archaeological objects or sites (ORS 358.905), or Native
 34 American cairn, burial, human remains, sacred objects and objects of cultural patrimony (ORS
 35 97.740-760) in or adjacent to the site, an Archaeological Excavation Permit will be required for
 36 the construction of the proposed facility. The applicant has not proposed to have this permit be
 37 included and governed by the site certificate, and as such the applicant will be required to
 38 obtain this permit from the State Historic Preservation Office prior to ground disturbing
 39 activities at the site.

40
 41 **Oregon Department of Aviation – Form 7460-1 Notice of Proposed Construction or Alteration**

42 **Statute and Rule References:** ORS 836.530 and OAR 738-070-0060 – 0100.

43 **EFSC Jurisdiction:** Jurisdictional.

1 **Discussion:** OAR 738-070-0100 establishes standards and notification requirements for objects
2 affecting navigable airspace. Any structures exceeding 200 feet in height are subject to
3 compliance with Federal Aviation Administration (FAA) Part 77.9. Applicant shall provide
4 preliminary location data for facility components as indicated on FAA Form 7460-1 to aid in
5 ODAV’s determination of potential impacts to air navigation. This review and determination will
6 be incorporated and governed by the site certificate.
7

8 **4. Local Permits**

9 **Jackson County**

10 **Land Use Ordinance References:**

- 11 • Jackson County Zoning Ordinance and Comprehensive Plan
- 12 • Jackson County Land Development Ordinance (LDO), Section 4.2.2 and 4.2.3
- 13 • OAR Chapter 734, Division 51

14 **Permits:**

- 15 • Administrative Type II Land Use Permit – EFSC Jurisdictional
- 16 • Administrative Type III Land Use Permit – EFSC Jurisdictional
- 17 • Site Plan Review - EFSC Jurisdictional
- 18 • Floodplain Development Permit - EFSC Jurisdictional if proposed by applicant
- 19 • Utility Crossing Right-of-Way Permit - Not EFSC Jurisdictional
- 20 • Utility Permit - Not EFSC Jurisdictional

21 **Discussion:** Jackson County has permitting requirements that relate to the siting, construction,
22 or operation of the proposed facility. The applicant shall identify those permits or approvals
23 and include an analysis of whether each should be included in and governed by the site
24 certificate.
25

26
27 An Administrative Type II Land Use Permit is required to build a transmission line in Jackson
28 County’s Exclusive Farm Use (EFU) zone. In the forest resource zone, a Type III permit is
29 required for transmission lines. LDO 4.3.3. The applicant intends to satisfy the EFSC land use
30 standard by seeking EFSC determination of compliance with the land use standards under ORS
31 469.504(1)(b). Because EFSC will make the land use decisions, any land use permits normally
32 issued by Jackson County will be governed by the Site Certificate.
33

34 If crossing a riparian setback within 50 feet of any waterways the applicant will be required to
35 obtain a riparian crossing approval as part of the Jackson County Land Use Permitting process.
36 The process also will require the completion of a Riparian Landscape Plan.

37 A Floodplain Development Permit is required whenever building in or near a floodplain. This
38 permit may be included in and governed by the site certificate, if proposed by the applicant.
39

40 As stated in the NOI, the applicant requests that the Council determine compliance with the
41 statewide planning goals under ORS 469.504(1)(b). Accordingly, land use permits including the
42 zoning permit and conditional use permit will be included in and governed by the site
43 certificate.

1
2 The other listed permitting requirements are not related to facility siting and as such will not be
3 included in or governed by the site certificate. A Utility Crossing Permit is required any time a
4 utility is constructed within or across a public right-of-way; an Access Permit may be required if
5 the facility access roads intersect with public roads, or needed upgrades to existing access
6 roads affect a public road. A Utility Permit is issued for work related to utilities that need to
7 take place in road right-of-way. This permit will not be included in and governed by the site
8 certificate.

9
10 Building permits are specifically excluded from EFSC jurisdiction by statute, ORS 469.401(4).
11

12 **5. Third-Party Permits**

13
14 **Discussion:** As noted in the NOI, the applicant may rely upon third-party permits for access to
15 resources necessary for facility construction and operation. If the applicant relies upon a state
16 or local government permit issued to a third party that is related to the siting of the proposed
17 facility, the applicant must identify each third-party permit, and, for each, include evidence that
18 the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement
19 with the third party for access to the resource or service to be secured by that permit; evidence
20 that the third party has or, has a reasonable likelihood of obtaining, the necessary permit; and,
21 an assessment of the impact of the proposed facility on any permits that a third party has
22 obtained and on which the applicant relies to comply with any applicable Council standard
23 (OAR 345-021-0010(1)(e)(E)).
24

25 If the applicant relies on a federally delegated permit issued to a third party that is related to
26 the siting of the proposed facility, the applicant must identify the third-party permit and include
27 evidence that the applicant has, or has a reasonable likelihood of entering into, a contract or
28 other agreement with the third party for access to the resource or service to be secured by that
29 permit. The applicant must provide evidence that the responsible agency has received the
30 permit application and provide the estimated date when the responsible agency will complete
31 its review and issue a permit decision (OAR 345-021-0010(1)(e)(F)).
32

33 In accordance with OAR 345-022-0010(4), if the applicant relies on a permit or approval issued
34 to a third party and the third party does not have the necessary permit or approval at the time
35 the Council issues the site certificate, the Council may issue the site certificate subject to the
36 condition that the certificate holder shall not commence construction or operation as
37 appropriate until the third party has obtained the necessary permit or approval and the
38 applicant has a contract or other arrangement for access to the resource or service secured by
39 that permit or approval.
40

41 **F. Exhibit F – Property Owners**

42
43 **Applicable Paragraphs:** All paragraphs apply.

44 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]

1 **Discussion:** Exhibit F must identify all tax lots or parcels located wholly or partially within the
2 site boundary, and within the following distances of those tax lots or parcels:

- 3 • 500 feet, when the tax lot or parcel located within the site boundary is within a farm or
4 forest zone.
- 5 • 250 feet, when the tax lot or parcel located within the site boundary is outside of an
6 Urban Growth Boundary and not within a farm or forest zone.
- 7 • 100 feet, when the tax lot or parcel located within the site boundary is located wholly or
8 partially within an Urban Growth Boundary.

9
10 Tax lots must be identified in a consistent format that provides the Township, Range, Section
11 and Tax lot number of each tax lot. If the local government uses a different tax lot identification
12 system, please include the local tax lot identification number in a separate column.

13
14 The preliminary ASC Exhibit F may omit mailing address information for the notification area
15 described above because the Department is not required to issue a public notice reliant on the
16 mailing address information until the ASC is deemed complete. pASC Exhibit F must, however,
17 include a list of all tax lots within the notification area described above. The list must be
18 accompanied by legible maps that clearly identify tax lot identification numbers as well as
19 adjacent road names. Once the ASC is deemed complete by the Department, Exhibit F must
20 include the mailing address information for the owner of record of each identified tax lot based
21 on the tax assessment roll for the jurisdiction in which the tax lot is located. In addition to
22 incorporating the list in the application, the applicant must submit the list to the Department in
23 Excel Workbook (.xlsx) or comma-separated values (.csv) format.

24
25 Following the submission of the complete application, the applicant must submit an updated
26 property owner list as requested by the Department to ensure that all public notices issued use
27 the most recent tax assessment roll.

28 29 G. Exhibit G – Materials Analysis

30
31 **Applicable Paragraphs:** All paragraphs apply.

32 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]; Soil
33 Protection [OAR 345-022-0022]

34 **Discussion:** Exhibit G must include an inventory of substantial quantities of industrial materials
35 flowing into and out of the proposed facility site during construction and operation of the
36 proposed facility, including but not limited to, metals, oils, and fuels. Quantities of waste
37 materials must be inventoried, and methods of disposal should be described in Exhibits G and
38 W. The applicant must identify any hazardous materials that will be used or stored at the site
39 and describe plans to manage those materials during construction and operation of the
40 proposed facility, including measures to prevent and contain spills.

1 The applicant must also describe plans to manage non-hazardous waste materials during
2 construction and operation. Exhibit G must identify any proposed fuel storage areas, vehicle
3 maintenance areas, or other areas that could be used to store hazardous materials.

4
5 H. Exhibit H – Geologic and Soil Stability
6

7 **Applicable Paragraphs:** All paragraphs apply

8 **Related Council and Other Standards:** Structural Standard [OAR 345-022-0020]

9 **Discussion:** Exhibit H must include Information regarding the geological and soil stability within
10 the analysis area. The contents of Exhibit H must be based on a consultation with DOGAMI
11 regarding the appropriate methodology and scope of the seismic hazards and geology and soil-
12 related hazards assessments, the appropriate geotechnical work that must be performed at the
13 site, and the guidelines for preparing the geologic report for the application required under
14 OAR 345-021-0010(1)(h)(A). Under OAR 345-021-0010(1)(h)(B), Exhibit H must include a
15 summary of this consultation. Comments received on the NOI from DOGAMI are included in
16 Attachment 2 of this order and should be incorporated in the study design and technical
17 reports conducted as part of the applicant’s analysis in the ASC. Based on DOGAMI comments
18 about seismic risks, the desktop review of seismic hazards shall include the area within and
19 extending 50-miles from the site boundary.
20

21 Under OAR 345-021-0010(1)(h)(A), (E), and (F), Exhibit H must include a geologic report meeting
22 the Oregon State Board of Geologist Examiners geologic report guidelines and an assessment of
23 seismic hazards and appropriate mitigation consistent with the recommendations made by
24 DOGAMI during the consultation and the requirements of the rule. The assessment must
25 explain how the applicant will design, engineer, construct and operate the facility to integrate
26 disaster resilience design to ensure recovery of operations after major disasters and how future
27 climate conditions, including changes in precipitation and stream flow, for the expected life
28 span of the proposed facility will impact the proposed facility.
29

30 Under OAR 345-021-0010(1)(h)(C) and (D), exhibit H must provide a description and schedule of
31 site-specific geotechnical work that will be performed before construction activities begin at
32 the site, and a description of any locations where the applicant proposes to perform site
33 specific geotechnical work associated with transmission line structures.
34

35 I. Exhibit I – Soils
36

37 **Applicable Paragraphs:** All paragraphs apply.

38 **Related Council and Other Standards:** Soil Protection [OAR 345-022-0022]

39 **Discussion:** Exhibit I must include information from reasonably available sources regarding soil
40 conditions and uses in the analysis area.
41

42 Under OAR 345-021-0010(1)(i)(A) and (B), Exhibit I must identify the major soil types within the
43 analysis area and include a description of current and historical (if distinct from current) land
44 uses that require or depend on productive soils. If applicant utilizes Natural Resource

1 Conservation Service web-soil survey data to evaluate wind and water erosion potential at the
2 proposed facility site, Exhibit I shall include accurate references and hyperlinks to source data.

3
4 Under OAR 345-021-0010(1)(i)(C) through (E), Exhibit I must identify and assess potential
5 adverse impacts of construction and operation of the proposed facility, including impacts such
6 as erosion, soil compaction, and any impacts from liquid effluent associated maintenance
7 activities, on soils in the analysis area.

8
9 Exhibit I must also describe any measures the applicant proposes to avoid or mitigate adverse
10 impacts to soils to soils during construction and operation of the proposed facility and any
11 proposed monitoring program.

12
13 For cultivated or arable lands, Exhibit I should contain sufficient evidence to demonstrate that
14 temporary disturbances during construction or maintenance activities will not result in long-
15 term losses of productivity. Any mitigation activities for permanent disturbance areas should
16 also be described in Exhibit X. If the applicant will rely upon an erosion and sediment control
17 plan to meet the Soil Protection standard, a draft of that plan must be included in the
18 application.

19
20 The applicant can cross-reference any applicable information related to the federally delegated
21 NPDES 1200-C permit application. Please note that an erosion and sediment control plan that
22 meets the NPDES 1200-C requirements may not necessarily be sufficient to meet the EFSC Soil
23 Protection standard. See Section III(e), Exhibit E – Permits, for additional discussion of federally-
24 delegated permits.

25
26 J. Exhibit J – Waters of the State and Removal-Fill

27
28 **Applicable Paragraphs:** All paragraphs apply.

29 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000];
30 Removal of Material, Filling [ORS 196.795-.990]; Administrative Rules Governing the Issuance
31 and Enforcement of Removal-Fill Authorizations Within Waters of Oregon Including Wetlands
32 [OAR chapter 141, division 085]

33 **Discussion:** Exhibit J must include information based on literature and field study, as
34 appropriate, about waters of this state, as defined under ORS 196.800, including, but not
35 limited to all natural waterways, intermittent and perennial streams, lakes, and wetlands.

36
37 Under OAR 345-021-0010(1)(j)(A), Exhibit J must include a description of all areas within the
38 site boundary that might be waters of the state and maps showing the location of these
39 features. Maps must also identify any areas of essential indigenous anadromous salmonid
40 habitat designated under ORS 196.810 and OAR chapter 141, division 102 within the site
41 boundary.

42
43 Under OAR 345-021-0010(1)(j)(B), (C), and (F), Exhibit J must describe whether construction or
44 operation of the proposed facility could result in potential adverse impacts to any of these

1 streams or other waters of the state, assess the significance of those impacts, and describe
2 proposed actions to avoid or mitigate adverse impacts and the applicant’s proposed monitoring
3 program, if any, for such impacts. If impacts to waters of the state cannot be avoided, Exhibit J
4 must describe the amount and type of material that could be deposited or removed from any
5 waters of the state, consistent with the requirements of OAR 141-085-0525, and any other
6 information needed to determine whether a removal-fill permit is required under OAR chapter
7 141, division 085.

8
9 A wetland delineation report that complies with OAR chapter 141, division 90 must be provided
10 to the Department and DSL before the application will be determined to be complete. The
11 wetland delineation must be conducted using the standard wetland delineation methodology
12 as outlined in the 1987 Army Corp manual and relevant supplements. The applicant should
13 review the Long Linear Guidance document recommended by DSL. The applicant must also
14 provide GIS data including the analysis area boundary and the boundaries of all delineated
15 wetlands and waters to both ODOE and DSL. DSL comments received on the NOI identify the
16 need for a wetland delineation report and a removal fill permit for review as part of the
17 applicant’s analysis in the ASC. A coordination call¹⁰ with DSL jurisdictional coordinator, Mathew
18 Unitis, also identified the need to include vernal pools in sampling design and delineation for
19 the ASC.

20
21 Wetland delineation reports and removal-fill permit application materials can be sent directly
22 by the applicant to DSL; however, all materials as well as DSL’s concurrence with the wetland
23 delineation must also be submitted to the Department as part of Exhibit J. The Department will
24 work closely with DSL in review of the removal-fill permit application, if applicable.

25
26 Under OAR 345-021-0010(1)(j)(D) and (E), Exhibit J must include an analysis of whether a
27 removal-fill permit is required. If a removal-fill permit is necessary for the proposed facility, the
28 Exhibit J must include all information required for the Council to decide on the removal-fill
29 permit application, including all information required under OAR chapter 141 division 85. When
30 required for an energy facility, a removal-fill permit should be included in and governed by the
31 site certificate. The Department and DSL would maintain dual responsibility for compliance with
32 any associated permit conditions. See Section III(e), Exhibit E – Permits, for additional
33 discussion of state permits.

34
35 K. Exhibit K – Land Use

36
37 **Applicable Paragraphs:** (A) and (C).

38 **Related Council and Other Standards:** Land Use [OAR 345-022-0030]

39 **Discussion:** The Council’s Land Use standard requires an evaluation for compliance with the
40 statewide planning goals. Under ORS 469.504(1), the applicant may establish compliance with
41 the applicable statewide planning goals either by obtaining local land use approval under ORS
42 469.504(1)(a) or by obtaining Council approval under ORS 469.504(1)(b). The applicant

¹⁰ Agency telephone coordination between DSL and Department on June 15, 2023.

1 indicated in the NOI that it has elected to seek a Council determination of compliance under
2 ORS 469.504(1)(b). Within Exhibit K, since the applicant has elected to obtain a Council
3 determination on land use under ORS 469.504(1)(b), paragraphs A and C of OAR 345-021-
4 0010(1)(k) apply; paragraph B does not apply.

5
6 Exhibit K must include information about the proposed facility's compliance with the statewide
7 planning goals adopted by LCDC, providing evidence to support a finding by the Council as
8 required by OAR 345-022-0030.

9
10 Under OAR 345-021-0010(1)(k)(A), Exhibit K must include a map showing the comprehensive
11 plan designations and land use zones in the analysis area.

12
13
14 All applicable criteria and standards associated with any zone in which the facility site boundary
15 is proposed to be located must be included, unless micro-siting corridors clearly demonstrate
16 that no part of the facility will be located within that zone are proposed. The applicant is
17 encouraged to consult with the planning departments of the affected local governments to
18 develop the list.

19
20 Because the proposed facility is a jurisdictional transmission line that would pass through
21 multiple jurisdictions, the Council may evaluate the proposed facility against the applicable
22 substantive criteria recommended by the special advisory groups, against the statewide
23 planning goals or against a combination of the applicable substantive criteria and statewide
24 planning goals. In determining how to evaluate the facility, the Council must consider:

- 25
26
- The number of jurisdictions and zones in question.
 - The degree to which the applicable substantive criteria reflect local government
28 consideration of energy facilities in the planning process; and
 - The level of consistency of the applicable substantive criteria from the various zones and
30 jurisdictions.
- 31

32 The applicant may provide an analysis of these factors and request that the Council evaluate
33 the facility under the applicable substantive criteria, against the statewide planning goals, or a
34 combination of both; however, the Department retains the discretion to recommend, and the
35 Council the discretion to select, a different method of evaluation and Exhibit K must include
36 sufficient information to demonstrate compliance with local applicable substantive criteria
37 regardless of the applicant's requested method of evaluation.

38
39 If the proposed facility will not comply with one or more of the applicable substantive criteria,
40 the applicant must demonstrate that the proposed facility nevertheless complies with the
41 applicable statewide planning goals or that an exception to a goal is justified under ORS
42 469.504(2) and OAR 345-022-0030(4).

1 Under OAR 345-021-0010(1)(k)(C), the applicant must identify all applicable substantive criteria
 2 from the affected local governments' Comprehensive Plan and any land use regulations that are
 3 required by the statewide planning goals and that are in effect on the date the application is
 4 submitted. The applicant should coordinate with both SAGs prior to submittal of the application
 5 to ensure that they are applying the current (at date of submittal of application) applicable
 6 substantive criteria.

7
 8 *Jackson County*

9 The proposed transmission line would cross 6 zone districts in Jackson County, collectively
 10 across both route alternatives (Rural Residential [RR-5], White City Urban Residential-4 [WCUR-
 11 4], General Commercial [GC], Rural Service Commercial [RS], General Industrial [GI], Limited
 12 Use [LU]); and two resource districts: Exclusive Farm Use (EFU) and Open Space Reserve (OSR) –
 13 with applicable requirements under the Jackson County LDO. Jackson County applicable
 14 substantive criteria are found in the Jackson County LDO and the Jackson County
 15 Comprehensive Plan. The LDO provides a procedure for review of proposed transmission
 16 facilities, particularly linear facilities, that will be in more than one zoning district. Any such new
 17 facility must either use an existing transmission corridor or meet the standards in the
 18 Ordinance.

19
 20 *City of Medford*

21 The Medford Comprehensive Plan includes the City of Medford's (City) adopted land use goals
 22 and policies, as required by the State of Oregon and designates types of land and amounts of
 23 land needed for future urban development.

24
 25 The City of Medford's Comprehensive Plan also has multiple zones and requirements. Table 6
 26 summarizes the various land use zones within Jackson County and City of Medford as they
 27 relate to the two proposed route alternatives:
 28

Table 6: County and City of Medford Zones for Proposed Transmission Line Alternatives

Zone	West Route	East Route
Jackson County		
Resource District		
Exclusive Farm Use (EFU)	X	X
Forest Open Space: Open Space Reserve (OSR)	X	X
Zoning District		
Rural Residential (RR)-5	X	X
White City Urban Residential-4 (WCUR-4)		X
General Commercial (GC)	X	X
Rural Service Commercial (RS)	X	
General Industrial (GI)	X	X
Site-Specific Zoning District		
Limited Use (LU)		X
City of Medford		

Table 6: County and City of Medford Zones for Proposed Transmission Line Alternatives

Zone	West Route	East Route
Single Family Residential (SFR) -00	X	X
SFR-2	X	
SFR-4		X
Heavy Commercial (C-H)	X	
General Industrial (I-G)	X	
Heavy Industrial (I-H)	X	
Exclusive Agriculture Overlay District (E-A)	X	X
Airport Area of Concern Overlay District (A-C)	X	X
Airport Approach Overlay District (A-A)	X	X

1
2 Exhibit K must identify and discuss each applicable substantive criteria and must demonstrate
3 how the proposed facility complies with those criteria. If the proposed facility will not comply
4 with one or more of the applicable substantive criteria, the applicant must demonstrate that
5 the proposed facility nevertheless complies with the applicable statewide planning goals or that
6 an exception to a goal is justified under ORS 469.504(2) and OAR 345-022-0030(4).

7
8 Exhibit K shall also provide evidence that the proposed facility would comply with any directly-
9 applicable LCDC administrative rules and statutory requirements related to the proposed
10 facility, including ORS 215.274, 215.283, 215.296, and specifically including all requirements
11 regarding the location of any portions of the proposed facility within the County’s EFU and
12 Forest zones. Comments from DLCD on the NOI are in Attachment 2 of this order and should be
13 included in the applicant’s analysis in the ASC.

14
15 L. Exhibit L – Protected Areas

16
17 **Applicable Paragraphs:** All paragraphs apply.

18 **Related Council and Other Standards:** Protected Areas [OAR 345-022-0040]

19 **Discussion:** As shown in Table 7 below, Exhibit J of the NOI identifies protected areas within the
20 20-mile study area. Based on the location of the proposed facility site boundary, which is
21 predominately located in developed areas or in parallel to existing energy infrastructure or
22 other linear facilities, the analysis area for this standard includes the area within and extending
23 2-miles from the site boundary. All protected areas within and extending 2-miles from the site
24 boundary should be evaluated in the ASC.

25
Table 7: Protected Areas within 2 miles

Category	Protected Area Name*	Approx. Distance to Site Boundary (miles)	Direction from Facility	Managing Agency
National and State Wildlife Refuges	Denman Wildlife Area	0 (Crosses)	Multiple locations	The Oregon Department of Fish & Wildlife (ODFW)

Table 7: Protected Areas within 2 miles

Category	Protected Area Name*	Approx. Distance to Site Boundary (miles)	Direction from Facility	Managing Agency
OAR 345-001-0010(26)(e)(o)				4034 Fairview Industrial Drive SE Salem OR 97302 (503) 947-6000 odfw.info@odfw.oregon.gov
Areas Managed by Oregon Parks and Recreation Department (state park, wayside, corridor, monument, recreation area, etc.) OAR 345-001-0010(26)(j)	Tou Velle State Recreation Site	0.3	N	Oregon State Parks and Recreation (OPRD) 725 Summer Street NE, Suite C Salem OR 97301 (503) 986-0707 oregon.heritage@oprds.gov
	Fort Lane State Heritage Site	1.0	W/NW	
	Kendall Bar State Greenway	1.7	NW	
	Table Rocks ACEC	2.0	NW	
	California National Historic Trail	2.0 minimum - varies	W-SW	
	Bear Creek Greenway National Recreation Trail (Ashland to Central Point)	1.9 minimum - varies	W-SW	USDA Forest Service 6941 Upper Applegate Road Jacksonville, OR 97530 (541) 899-3800 https://www.fs.usda.gov/contactus/rogue-siskiyou/about-forest/contactus
*Acronyms: ACEC – Area of Critical Environmental Concern; RNA – Research Natural Area				

- 1
- 2 Under OAR 345-021-0010(1)(L)(A) and (B), Exhibit L must include a list and map of the
- 3 protected areas within the analysis area showing the distance and direction from the proposed
- 4 facility. If any additional protected areas in the analysis area are identified during the
- 5 development of the ASC or if the site boundary is amended, the table and map must be
- 6 updated accordingly.
- 7
- 8 Under OAR 345-021-0010(1)(L)(C), Exhibit L must include a description of significant potential
- 9 impacts of the proposed facility, if any, on the protected areas including, but not limited to,
- 10 potential impacts such as:
- 11 • Noise resulting from facility construction or operation.

- 1 • Increased traffic resulting from facility construction or operation.
- 2 • Water use during facility construction or operation.
- 3 • Wastewater disposal resulting from facility construction or operation.
- 4 • Visual impacts of facility structures.
- 5 • Visual impacts from air emissions resulting from facility construction or operation.

6
7 Note that a visual impact assessment is required as part of Exhibit L. While no specific
8 methodology is required, the applicant must submit sufficient evidence to demonstrate how
9 the proposed facility would comply with the Protected Areas standard. The applicant should
10 consider the extent of impacts and prior Council evaluations when designing the impact
11 assessment methodology. Visual simulations or other visual representations are not required
12 but can provide important evidence for use by the Department and Council in understanding
13 the potential visual impact of the proposed facility to Protected Areas.

14
15 Please note that compliance with the DEQ noise rules does not correlate to compliance with
16 the noise assessment considered in the Protected Areas standard. Particularly, while
17 construction noise is exempt from the DEQ noise rules, construction noise must be considered
18 under the Protected Areas standard. However, information developed to demonstrate
19 compliance with the DEQ noise rules (such as noise modeling) included in Exhibit Y can be used
20 in the assessment under the Protected Areas standard.

21
22 M. Exhibit M – Financial Capability

23
24 **Applicable Paragraphs:** All paragraphs apply.
25 **Related Council and Other Standards:** Retirement and Financial Assurance [OAR 345-022-0050]
26 **Discussion:** Exhibit M must include information about the applicant’s financial capability and
27 should include basic information about the applicant’s financial condition. The applicant is not
28 obligated to provide information or records protected from public disclosure by any provision
29 of state or federal law.

30
31 Under OAR 345-021-0010(1)(m)(A), Exhibit M must include an opinion or opinions from legal
32 counsel stating that, to counsel's best knowledge, the applicant has the legal authority to
33 construct and operate the facility without violating its bond indenture provisions, articles of
34 incorporation, common stock covenants, or similar agreements.

35
36 Under OAR 345-021-0010(1)(m)(B) and (C), Exhibit M must include the type and amount of the
37 applicant’s proposed bond or letter of credit. The proposed amount should be based on the
38 information provided under Exhibit X.

39
40 Exhibit M requires evidence that the applicant has a reasonable likelihood of obtaining the
41 proposed bond or letter of credit from a reputable financial institution in that amount before
42 beginning construction of the facility. If applicant chooses to provide a comfort letter from a
43 financial institution as evidence to support Council’s review of this requirement, the letter
44 should refer to the applicant, be on letterhead, and accurately reference, at a minimum, the

1 dollar amount (in relevant quarter and year) of the estimated decommissioning amount. The
2 Department may request that the comfort letter be updated based any necessary adjustments
3 or corrections identified during pASC review, prior to determining the ASC to be complete.
4

5 N. Exhibit N – Need for Nongenerating Facility
6

7 **Applicable Paragraphs:** (A), (F)

8 **Related Council and Other Standards:** Need Standard for Non-Generating Facilities [OAR 345-
9 023-0005]

10 **Discussion:** Under OAR 345-021-0010(1)(n)(A) an application for a transmission line must
11 include the applicant’s election to meet the Need Standard either under the least-cost plan rule
12 (OAR 345-023-0020(1)), the system reliability rule (OAR 345-023-0030), or by demonstrating
13 that the transmission line is proposed to be located within a National Interest Electric
14 Transmission Corridor designated under Section 216 of the Federal Power Act.
15

16 In the NOI, the applicant stated that the need for the proposed facility was identified in
17 PacifiCorp’s 2017 North American Electric Reliability Corporation (NERC) TPL planning
18 assessment and the need has been validated in subsequent annual assessments. The applicant
19 states the proposed facility is needed to ensure compliance with transmission system reliability
20 standards of the NERC (Reliability Standard TPL-3.1) and Western Electricity Coordination
21 Council (WECC) Criterion TPL-001-WECC-CRT-3.1) for six N-1-1 contingency combinations to
22 reinforce the 230-kV supply to Lone Pine and Whetstone substations and continue to provide
23 reliable service to customers on the bulk electric system in southern Oregon. The applicant
24 must inform the Department if this election changes prior to the submission of the pASC.

25 Under OAR 345-021-0010(1)(n)(F)(i) to (iii), to demonstrate compliance with the system
26 reliability rule, Exhibit N must include load-resource balance tables for the area to be served by
27 the proposed facility. The tables must include:

- 28 • Annual firm capacity demands and existing and committed firm resources for each of
29 the years from the date of submission of the application to at least five years after the
30 expected in-service date of the facility.
- 31 • A forecast of firm capacity demands for electricity and firm annual electricity sales for
32 the area to be served by the proposed facility. The applicant must separate firm
33 capacity demands and firm annual electricity sales into loads of retail customers,
34 system losses, reserve margins and each wholesale contract for firm sale. In the
35 forecast, the applicant must include a discussion of how the forecast incorporates
36 reductions in firm capacity demand and firm annual electricity sales resulting from:
 - 37 ○ Existing federal, state or local building codes, and equipment standards and
38 conservation programs required by law for the area to be served by the
39 proposed facility.
 - 40 ○ Conservation programs provided by energy suppliers served by the facility.
 - 41 ○ Conservation that results from price elasticity.
 - 42 ○ Retail customer fuel choice.

- 1 • A forecast of existing and committed firm resources used to meet the projected,
2 including, as existing and committed firm resources, existing generation and
3 transmission facilities, firm contract resources and committed new resources minus
4 expected resource retirements or displacement. In the forecast, the applicant must list
5 each resource separately.
6

7 Under OAR 345-021-0010(1)(F)(iv) and (v), a narrative discussion must accompany the tables
8 described above, including discussion of:
9

- 10 • The reasoning behind any forecasts for resources to be retired or displaced.
11 • The annual capacity factors assumed for any generating facilities listed in the forecast.
12

13 Under OAR 345-021-0010(1)(F)(vi), Exhibit N must identify the reliability criteria the applicant
14 proposes demonstrate the proposed facility is needed, considering the load carrying capability
15 of existing transmission system facilities supporting the area to be served by the proposed
16 facility.
17

18 Under OAR 345-021-0010(1)(F)(vii), Exhibit N must provide reasons why the proposed facility is
19 economically reasonable compared to:

- 20 • Cost-effective conservation, peak load management and voluntary customer
21 interruption as a substitute for the proposed facility.
22 • Construction and operation of electric generating facilities as a substitute for the
23 proposed facility.
24 • Direct use of natural gas, solar or geothermal resources at retail loads as a substitute for
25 use of electricity transmitted by the proposed facility.
26 • Adding standard sized smaller or larger transmission line capacity.
27

28 To support its reasoning, the applicant must include a table showing the amounts of firm
29 capacity and firm annual electricity available from the proposed facility and each alternative
30 and the estimated direct cost of the proposed facility and each alternative. The applicant must
31 include documentation of assumptions and calculations supporting the table.
32

33 Under OAR 345-021-0010(1)(F)(viii), Exhibit N must state the earliest and latest expected in-
34 service dates of the facility and a discussion of the circumstances of the energy suppliers served
35 by the facility that determine these dates.
36

37 O. Exhibit O – Water Use 38

39 **Applicable Paragraphs:** All paragraphs apply except (D).

40 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]; OAR
41 690, Divisions 310 and 380 (Water Resources Department permitting requirements)

42 **Discussion:** Exhibit O of the application must identify the sources of water to be used during
43 construction and operation of the proposed facility, the water right under which the water

1 would be provided, the quantity of water needed, and the means of disposal of all water
2 discharges from the proposed facility.

3
4 Under OAR 345-021-0010(1)(o)(A) through (C) and (G), Exhibit O must include a description of
5 how water will be used during construction and operation of the proposed facility, and must
6 describe each source of water and the estimated amount of water the facility will need from
7 each source during construction and during operation under annual average and worst-case
8 conditions, and a description of proposed actions to mitigate the adverse impacts of water use
9 on affected resources. These estimates should include water needed for dust abatement during
10 construction and maintenance during operations.

11
12 Under OAR 345-021-0010(1)(o) E) and (F), Exhibit O must provide an evaluation of whether the
13 proposed facility would need a groundwater permit, surface water permit or a water right
14 transfer. If the proposed facility would need a groundwater permit, a surface water permit or a
15 water right transfer, Exhibit O information to support a determination by the Council that the
16 Water Resources Department should issue the permit or transfer of a water use, including
17 information in the form required by the Water Resources Department under OAR Chapter 690,
18 Divisions 310 and 380. See Section III(e) Exhibit E – Permits, for a discussion of OWRD permits
19 and Section III(u) – Public Services, for information requirements related to water service
20 providers.

21 22 P. Exhibit P – Fish and Wildlife Habitat

23
24 **Applicable Paragraphs:** All paragraphs apply.

25 **Related Council and Other Standards:** Fish and Wildlife Habitat [OAR 345-022-0060]

26 **Discussion:** Exhibit P must include Information about fish and wildlife habitat and the species
27 that could be affected by the proposed facility, providing evidence to support a finding by the
28 Council that the design, construction, and operation of the facility, taking into account
29 mitigation, are consistent with the general fish and wildlife habitat mitigation goals and
30 standards of OAR 635-415-0025(1) through (6) in effect as of February 24, 2017.

31
32 The applicant must consult with ODFW in developing the resources and methods used to
33 develop materials for Exhibit P. ODFW comments received on the NOI identified specific species
34 to be included in surveys as part of the applicant’s analysis in the ASC. These comments are
35 included in Attachment 2 of this Order. Documentation of consultations, such as meeting notes,
36 must be attached to Exhibit P. The applicant is also encouraged to consult with the U.S. Fish and
37 Wildlife Service (USFWS) on vernal pools, wetlands for fish and wildlife habitat impacts.

38 39 1. Required Surveys

40
41 Under OAR 345-021-0010(1)(p)(A) through (E), Exhibit P must include a description of biological
42 and botanical surveys performed or scheduled to support the habitat categorization and other
43 information in Exhibit P. At a minimum, the timing, scope, methods, and sources for each

1 survey must be discussed. Requirements for specific surveys are discussed in more detail
 2 below. Additional surveys may be required based on consultation with ODFW.

3
 4 a) Habitat Surveys

5
 6 Under OAR 345-021-0010(1)(p)(B), Exhibit P must include the results of habitat surveys
 7 identifying habitat type, vegetation and characteristics, habitat condition, and species use and
 8 presence. The habitat surveys must identify the following:

- 9 • Terrestrial habitat within and extending one-half mile (analysis area) from the
- 10 portions of the site boundary.
- 11 • Aquatic habitat within all potentially impacted portions of the analysis area.
- 12 • Riparian habitat adjacent to all potentially impacted area within the analysis area.

13
 14 Applicant must consult with ODFW, and other appropriate authorities to determine the extent
 15 of potentially impacted streams and riparian areas prior to completion of surveys. Comments
 16 from ODFW on the NOI should be incorporated into study and survey design for species and
 17 habitat. ODFW comments to the Department on the NOI can be found in Attachment 2 of this
 18 order.

19
 20 Based on the results of the habitat surveys, the applicant must categorize habitat within the
 21 analysis area as provided under OAR 635-415-0025. The habitat categorization is subject to
 22 review and approval by ODFW. The habitat categories and the mitigation goal associated with
 23 each is summarized in Table 8 below.

24
Table 8: Habitat Categories Under OAR 635-415-0025

Category	Description	Mitigation Goal
1	Irreplaceable, essential habitat for a fish or wildlife species, population, or a unique assemblage of species and is limited on either a physiographic province or site-specific basis, depending on the individual species, population or unique assemblage.	No loss of either habitat quantity or quality.
2	Essential habitat for a fish or wildlife species, population, or unique assemblage of species and is limited either on a physiographic province or site-specific basis depending on the individual species, population or unique assemblage.	If impacts are unavoidable, is no net loss of either habitat quantity or quality and to provide a net benefit of habitat quantity or quality.
3	Essential habitat for fish and wildlife, or important habitat for fish and wildlife that is limited either on a physiographic province or site-specific basis, depending on the individual species or population.	No net loss of either habitat quantity or quality.
4	Important habitat for fish and wildlife species.	No net loss in either existing habitat quantity or quality.
5	Habitat for fish and wildlife having high potential to become either essential or important habitat.	If impacts are unavoidable, is to provide a net benefit in habitat quantity or quality.

Table 8: Habitat Categories Under OAR 635-415-0025

Category	Description	Mitigation Goal
6	Habitat that has low potential to become essential or important habitat for fish and wildlife.	Minimize impacts.

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Under OAR 345-021-0010(C), Exhibit P must include tabular data and maps depicting the areas of permanent and temporary disturbance (in acres) in each habitat category, type and subtype based on the results of the habitat survey.

b) Sensitive Species Surveys

Under OAR 345-021-0010(D), based on consultation with the ODFW and appropriate field study and literature review, Exhibit P must identify all state sensitive species that might be present in the habitat survey areas and a discussion of any site-specific issues of concern to ODFW. Exhibit P must include baseline surveys in appropriate habitats for these species, and any other identified state sensitive species within the analysis area and must provide a map showing the locations of the different species and habitats with respect to the proposed activities. If state sensitive species, or suitable habitat for state sensitive species, are identified within the analysis area that could be adversely affected as a result of the proposed facility, the applicant shall include a description of the nature, extent, and duration of potential adverse impacts and a description of any proposed mitigation measures, consistent with the Exhibit P requirements, the EFSC Fish and Wildlife Habitat standard, and the ODFW Habitat Mitigation Policy. If sensitive species surveys are required by other jurisdictions, the applicant is encouraged to provide a single survey report that identifies occurrences of all sensitive species. The list of known state-sensitive species to be included in field surveys was provided by ODFW in their comments on the NOI and is included in Attachment 2 of this order.

2. Assessment of Impacts to Habitat and Sensitive Species

Under OAR 345-021-0010(1)(p)(F), Exhibit P must describe the nature, extent and duration of potential adverse impacts on the habitat and species identified in surveys that could result from construction, operation and retirement of the proposed facility. This assessment must include, at a minimum, identification of temporary and permanent disturbance (during construction and maintenance) and assessment of potential impacts to wetlands and vernal pools and habitat for sensitive fish and wildlife from construction activities such as vegetation removal and disturbance of soils and sediments.

3. Proposed Monitoring and Mitigation

Under OAR 345-021-0010(1)(p)(G) and (H), Exhibit P must describe any monitoring and mitigation activities proposed by the applicant to ensure that the construction and operation of the facility will comply with the habitat mitigation goals and standards and to otherwise avoid, reduce, or otherwise mitigate adverse impacts to habitat and state sensitive species. At a

1 minimum, mitigation measures discussed must include avoidance areas and implementation
2 measures; any proposed salvage & relocation of individuals impacted by construction activities,
3 and in-kind/in proximity mitigation as required by ODFW regulations. This information must
4 also be incorporated into a draft Revegetation and Noxious Weed Control Plan, a draft Habitat
5 Mitigation Plan, and a draft Post Construction Monitoring Plan, which must be included as
6 attachments to Exhibit P.

7
8 The draft Revegetation and Noxious Weed Control Plan and associated information in Exhibit P
9 must describe how the areas that are temporarily disturbed during construction or operation of
10 the facility will be rehabilitated and returned to their pre-construction functionality. The plan
11 must clearly describe draft success criteria for revegetation activities and describe the
12 monitoring program that will be used to ensure those criteria are met.

13
14 The draft Habitat Mitigation Plan and associated information in Exhibit P must clearly
15 demonstrate how the applicant will provide mitigation for both short- and long-term habitat
16 impacts in accordance with the ODFW Habitat Mitigation Policy. This includes identifying the
17 location of a specific habitat mitigation area that could be used to provide in-kind, in-proximity
18 mitigation for any impacts to Category 2 to 4 Habitat, as well as ecological uplift mitigation
19 actions that could be implemented at the habitat mitigation area to provide the appropriate
20 mitigation. Exhibit P shall include evidence of the availability of the proposed habitat mitigation
21 area, including lease-option agreement, landowner confirmation of intent to provide, or similar
22 documentation.

23
24 The draft Habitat Mitigation Plan must include the results of a habitat assessment and must
25 describe the legal mechanism or mechanisms proposed for acquiring the legal right to maintain
26 and enhance the habitat mitigation area. The Habitat Mitigation Plan must include draft success
27 criteria for the proposed ecological uplift actions determined suitable for the proposed habitat
28 mitigation site and describe a process for evaluating monitoring and reference site locations,
29 prior to construction.

30
31 Q. Exhibit Q – Threatened and Endangered Species

32
33 **Applicable Paragraphs:** All paragraphs apply.

34 **Related Council and Other Standards:** Threatened and Endangered Species [OAR 345-022-
35 0070]

36 **Discussion:** Exhibit Q must include information about threatened and endangered plant and
37 animal species that may be affected by the proposed facility, providing evidence to support a
38 finding by the Council as required by OAR 345-022-0070. Exhibit Q must include species listed
39 under ORS 496.172 and 564.105.

40
41 Under OAR 345-021-0010(1)(q)(A) through (G), Exhibit Q must include a list of all threatened
42 and endangered species listed in OAR 635-100-0125 or 603-073-0070 that have the potential to
43 occur in the analysis area. For the application, the analysis area must include the area within
44 the site boundary, except that the desktop analysis shall extend 5 miles from the site boundary.

1
2 The applicant shall identify these species based on a review of literature, consultation with
3 ODFW, and reference to the list of species maintained by the Oregon Biodiversity Information
4 Center. For each species identified, Exhibit Q must describe the nature, extent, locations, and
5 timing of its occurrence in the analysis area; how the facility might adversely affect the species;
6 what measures the applicant proposes to avoid or reduce and adverse impact; and the
7 applicant’s proposed monitoring program for impacts. Field surveys for any threatened and
8 endangered species that may occur within the analysis area are required within or near suitable
9 habitat that will be disturbed during construction and operation of the proposed facility.

10
11 For each threatened and endangered plant species, Exhibit Q must describe how the proposed
12 facility, including any mitigation measures, complies with the protection and conservation
13 program adopted by ODAg, or if there is no protection and conservation program in place for
14 an identified threatened or endangered plant species, describe any significant potential impacts
15 the proposed facility may have on the continued existence of the species and on the critical
16 habitat of such species, and must provide evidence that the proposed facility, including any
17 mitigation measures, is not likely to cause a significant reduction in the likelihood of survival or
18 recovery of the species.

19
20 Field surveys for any threatened and endangered species that may occur within the analysis
21 area are required within or near suitable habitat that will be disturbed during construction and
22 operation of the proposed facility. The applicant must consult with ODFW and ODA’s Native
23 Plant Conservation Program regarding appropriate field survey methods, survey areas, survey
24 seasons, qualifications of field survey personnel, and the information to be included in a field
25 survey report. Exhibit Q must include maps showing appropriate habitats for all identified
26 species and a map showing the locations of the different species and habitats with respect to
27 the proposed activities. If special status species surveys are required by other jurisdictions, the
28 applicant is encouraged to provide a single survey report that identifies occurrences of all listed
29 species.

30
31 ODFW and ODAg comments to the Department on the NOI can be found in Attachment 2 of
32 this order and should be incorporated into study and survey design.

33
34 R. Exhibit R – Scenic Resources

35
36 **Applicable Paragraphs:** All paragraphs apply.

37 **Related Council and Other Standards:** Scenic Resources [OAR 345-022-0080]

38 **Discussion:** Exhibit R must include an analysis of potential significant visual impacts of the
39 proposed facility on scenic resources identified as significant or important in local land use
40 plans, tribal land management plans and federal land management plans for any lands located
41 within the analysis area. Based on the location of the proposed facility site boundary, which is
42 predominately located in developed areas or in parallel to existing energy infrastructure or
43 other linear facilities, the analysis area for this standard includes the area within and extending
44 2-miles from the site boundary.

1
2 For the purposes of Exhibit R, “local” land use plans include state, county, and city planning
3 documents or inventories. The applicant must also evaluate visual impacts to these resources
4 under Exhibit T and may refer to that evaluation in Exhibit R.

5
6 S. Exhibit S – Historic, Cultural and Archaeological Resources

7
8 **Applicable Paragraphs:** All paragraphs apply.

9 **Related Council and Other Standards:** Historic, Cultural, and Archaeological Resources [OAR
10 345-022-0090]

11 **Discussion:** Exhibit S must include information about historic, cultural, and archaeological
12 resources. The analysis area for archeological resources includes the area within the site
13 boundary. To evaluate visual affects to archeological, historic-aboveground, and Historic
14 Properties of Religious and Cultural Significance to Indian Tribes, the analysis area includes the
15 area within and extending 1-mile from the site boundary.

16
17 Information concerning the location of archaeological sites or objects may be exempt from
18 public disclosure under ORS 192.345(11). Such information, including archaeological survey
19 reports, should be provided confidentially under separate cover in hard copy only format, and
20 only after consultation with the Department. Confidential material shall also be provided
21 directly to SHPO, following guidance from the Department and SHPO. Please contact the
22 Department to discuss current practices regarding treatment and submittal of confidential
23 material.

24
25 As described under OAR 345-021-0010(1)(s)(D)(i) to (iii), Exhibit S must describe survey
26 methodology, survey areas, and the results of all surveys conducted for historic, cultural, and
27 archaeological resources as well as an analysis of any significant adverse impacts anticipated
28 and proposed mitigation measures.

29
30 Under OAR 345-021-0010(1)(s)(A) through (C), Exhibit S must include an inventory of all historic
31 properties discovered in the analysis area, including any archaeological sites or objects on
32 private land in the analysis area and archaeological sites on public land in the analysis area.
33 Exhibit S must include an evaluation of whether the historic properties have been listed on, or
34 would likely be listed on, the National Register of Historic Places, based on an evaluation of the
35 National Register Evaluation Criteria as described in National Register Bulletin 15.

36
37 Under OAR 345-021-0010(1)(s)(D), Exhibit S must also include an impact assessment, and
38 proposed measures to avoid or mitigate potential impacts to historic, cultural, or archaeological
39 resources that have been listed on, or would likely be listed on the National Register of Historic
40 Places.

41
42 Under OAR 345-021-0010(1)(s)(E), Exhibit S must include the applicant’s proposed monitoring
43 program, if any, for impacts to historic, cultural, and archaeological resources during

1 construction and operation of the proposed facility, including a program to address inadvertent
2 discovery of resources during ground disturbing activities at the site.

3
4 The applicant is strongly encouraged to discuss the proposed facility with the potentially
5 affected tribes identified by the Legislative Commission on Indian Services: the Confederated
6 Tribes of Grand Ronde, the Confederated Tribes of Siletz Indians, and the Cow Creek Band of
7 Umpqua Indians. Exhibit S should include documentation of any contact with tribes to
8 determine whether the proposed route could affect tribal cultural resources.

9
10 T. Exhibit T – Recreation

11
12 **Applicable Paragraphs:** All paragraphs apply.

13 **Related Council and Other Standards:** Recreation [OAR 345-022-0100]

14 **Discussion:** Exhibit T must include information about the impacts the proposed facility would
15 have on important recreational opportunities. Based on the location of the proposed facility
16 site boundary, which is predominately located in developed areas or in parallel to existing
17 energy infrastructure or other linear facilities, the analysis area for this standard includes the
18 area within and extending 2-miles from the site boundary.

19
20 Under OAR 345-021-0010(1)(t)(A), Exhibit T must include a description of recreational
21 opportunities in the analysis area, and information identifying whether the opportunity is
22 considered “important” under OAR 345-022-0100.

23
24 Under OAR 345-021-0010(1)(t)(B) and (C), and (E), Exhibit T must include a description of any
25 potential significant adverse impacts to important recreational opportunities, and a description
26 of measures the applicant proposes to avoid, reduce, or otherwise mitigate and monitor those
27 impacts. Impacts that must be evaluated in Exhibit T include:

- 28
29
- Direct or indirect loss of a recreational opportunity because of facility construction
30 or operation.
 - Noise resulting from facility construction or operation.
 - Increased traffic resulting from facility construction or operation.
 - Visual impacts of facility structures.
- 31
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35 Note that a visual impact assessment is required as part of Exhibit T. While no specific
36 methodology is required, the applicant must submit sufficient evidence to demonstrate how
37 the proposed facility would comply with the Recreation standard. The applicant should consider
38 the extent of impacts and prior Council evaluations when designing the impact assessment
39 methodology. Visual simulations or other visual representations are not required but can
40 provide important evidence for use by the Department and Council in understanding the
41 potential visual impact of the proposed facility to important recreational opportunities.

42
43 Compliance with the DEQ noise rules (Exhibit X) does not correlate to compliance with the
44 noise assessment considered in the Recreation standard. Particularly, while construction noise

1 is exempt from the DEQ noise rules, construction noise must be considered under the
2 Recreation standard. However, information developed to demonstrate compliance with the
3 DEQ noise rules such as noise modeling can be used in the assessment under the Recreation
4 standard.

5
6 If the applicant becomes aware of any potentially significant impacts to the identified
7 recreational opportunities other than those described above, the impacts must be disclosed
8 and evaluated in Exhibit T.

9
10 U. Exhibit U – Public Services

11
12 **Applicable Paragraphs:** All paragraphs apply.

13 **Related Council and Other Standards:** Public Services [OAR 345-022-0110]

14 **Discussion:** Exhibit U must include information on how the construction and operation of the
15 proposed facility will impact public services. Exhibit U must include sufficient evidence to
16 support a finding by the Council that construction and operation of the proposed facility,
17 considering mitigation, are not likely to result in significant adverse impact to the ability of
18 public and private service providers to provide sewers and sewage treatment, water, storm
19 water drainage, solid waste management, housing, traffic safety, police and fire protection,
20 health care and schools.

21
22 Under OAR 345-021-0010(1)(u)(A) through (D), Exhibit U must include an analysis identifying
23 the public and private service providers in the analysis area that would likely be affected by
24 construction and operation of the proposed facility, a description of any likely impacts on the
25 ability of the service providers to provide their respective services, and evidence that any
26 adverse impacts, taking into account any mitigation proposed by the applicant, are not likely to
27 be significant. The analysis must describe any important assumptions the applicant used to
28 evaluate potential impacts. Mitigation may include funding for equipment or capital
29 improvements, training, or other actions intended to increase the capacity of public service
30 providers.

31
32 The applicant may include information developed in support of Exhibit V in its evaluation of
33 impacts to fire protection providers, an evaluation of any potential impacts that may affect
34 responders to structural fires at the proposed facility, including but not limited to fires involving
35 the proposed transmission line and transmission structures.

36
37 In evaluating impacts to traffic safety, Exhibit U must contain sufficient evidence to
38 demonstrate that the construction and operation of the proposed facility will not result in
39 significant safety impacts to drivers along primary and secondary transportation routes that will
40 be used during construction of the proposed facility. Impacts that must be evaluated should
41 include the impacts of vehicles entering and exiting the site during construction. Exhibit U
42 should also evaluate whether any significant traffic delays will occur and whether these delays
43 could affect ambulance services or other emergency responders.

1 In addition, Exhibit U must evaluate the impacts that the construction and operation of the
2 proposed facility will have on local aviation resources, sufficient to demonstrate compliance
3 with OAR chapter 738, division 070 (also see discussion in Section E(3) on State Permits).
4

5 Exhibit U must evaluate the impact that the temporary and permanent workforce will have on
6 housing in the analysis area, including the availability of hotels, RV parks, and other temporary
7 accommodations. This evaluation must assume that 100 percent of the temporary construction
8 workforce will require temporary accommodations unless the applicant can provide evidence
9 to demonstrate the availability of local workers or can provide evidence of a local hiring
10 program.
11

12 In addition to the analysis described above, the applicant is encouraged to obtain letters from
13 local public services providers to demonstrate that the proposed facility would not cause a
14 significant adverse impact on their ability to provide their respective services, including:
15

- 16 • Local fire department,
 - 17 • Police department,
 - 18 • Public works department,
 - 19 • Sewer and sewage treatment providers,
 - 20 • Water service providers
 - 21 • Solid waste providers
- 22

23 Letters obtained from public service providers include analysis indicating that their level of
24 service would not be impacted. For instance, letters obtained from water service providers
25 should include an evaluation of permit limits, permit or water right numbers, type of water use,
26 and historical demand to demonstrate that it can meet proposed facility needs. Letters from
27 fire service providers should explain how resources used by the facility, in the event of a fire-
28 related issue, would not impact their ability to provide fire emergency response, rather than a
29 conclusory statement without supporting analysis demonstrating a clear understanding of the
30 facility. Letters from public works departments should demonstrate an understanding of
31 proposed facility road use, including maximum number of vehicle miles travelled and vehicle
32 weight, and confirmation of whether the use would impact local roads or require road
33 improvements/modifications to support the anticipated use.
34

35 Under OAR 345-021-0010(1)(u)(E), Exhibit U must include the applicant's proposed monitoring
36 program, if any, for impacts to public services.
37

38 V. Exhibit V – Wildfire Prevention and Risk Mitigation 39

40 **Applicable Paragraphs:** All paragraphs apply

41 **Related Council and Other Standards:** Wildfire Prevention and Risk Mitigation [OAR 345-022-
42 0115]

43 **Discussion:** Exhibit V must include information about wildfire risk within the analysis area
44 sufficient to support the Council findings required under OAR 345-022-0115. The analysis area

1 for wildlife risk includes areas within and extending 1/2-mile from the site boundary. This must
2 include a characterization of wildfire risk within the analysis area that identifies each of the
3 following:

- 4
- 5 • Baseline wildfire risk, based on factors that are expected to remain fixed for multiple
6 years, including but not limited to topography, vegetation, existing infrastructure,
7 and climate.
- 8 • Seasonal wildfire risk, based on factors that are expected to remain fixed for
9 multiple months but may be dynamic throughout the year, including but not limited
10 to, cumulative precipitation and fuel moisture content.
- 11 • Areas subject to a heightened risk of wildfire, based on the Baseline and Seasonal
12 risk information.
- 13 • High-fire consequence areas, including but not limited to areas containing
14 residences, critical infrastructure, recreation opportunities, timber and agricultural
15 resources, and fire-sensitive wildlife habitat.
- 16

17 The characterization must also describe all data sources and methods used to model and
18 identify risks. The applicant may select data sources and methods as appropriate for the site,
19 but all data must be current and from reputable sources.

20

21 Exhibit V must also include a draft or drafts of Wildfire Mitigation Plans that address
22 construction and operation, for the proposed facility. The Wildfire Mitigation Plan(s) must, at a
23 minimum:

- 24 • Identify areas within the site boundary that are subject to a heightened risk of
25 wildfire, using current data from reputable sources, and discuss data and methods
26 used in the analysis.
- 27 • Describe the procedures, standards, and time frames that the applicant will use to
28 inspect facility components and manage vegetation in any identified areas of
29 heightened risk of wildfire.
- 30 • Identify preventative actions and programs that the applicant will carry out to
31 minimize the risk of facility components causing wildfire, including procedures that
32 will be used to adjust operations during periods of heightened wildfire risk. This
33 should include a discussion of the use of defensible space, fire hardened
34 infrastructure, and power shutoff protocols, as applicable.
- 35 • Identify procedures to minimize risks to public health and safety, the health and
36 safety of responders, and damages to resources protected by Council standards if a
37 wildfire occurs at the facility site, regardless of ignition source. This should include:
 - 38 ○ A description of who will respond to wildfires at the site and a plan for ensuring
39 responders are aware of sensitive resources that should be avoided during fire
40 suppression activities.
 - 41 ○ A description and maps of access and egress options for wildfire responders and
42 emergency vehicles to enter and exit the site in a fire emergency.

1 **Discussion:** Exhibit X must provide information about site restoration, providing evidence to
2 support a finding that the site can be restored adequately to a useful, non-hazardous condition
3 following permanent cessation of construction or operation of the facility.

4
5 Under OAR 345-021-0010(1)(x)(A) and (B), this information must include the estimated useful
6 life of the proposed facility and a description of the specific actions and tasks to restore the site
7 to a useful, non-hazardous condition.

8
9 Under OAR 345-021-0010(1)(x)(C) and (D), Exhibit X must also include an estimate, in current
10 dollars, of the total and unit costs of restoring the site to a useful, non-hazardous condition and
11 a discussion and justification of the methods and assumptions used in preparing the estimate.
12 The estimate should include sufficient detail to identify costs associated with individual tasks
13 and units.

14
15 Under 345-021-0010(1)(x)(E), Exhibit X must include a proposed monitoring plan, if applicable,
16 for any potential site contamination by hazardous materials, including oils or fuels used or
17 stored on site, such as periodic environmental site assessment and reporting. If the applicant
18 believes no monitoring for soil contamination is necessary, Exhibit X must provide evidence to
19 support this position.

20
21 Y. Exhibit Y – Noise

22
23 **Applicable Paragraphs:** All paragraphs apply.

24 **Related Council and Other Standards:** General Standard of Review [OAR 345-022-0000]; DEQ
25 Noise Control Regulations [ORS 467.020 and ORS 467.030; OAR 340, Division 35]

26 **Discussion:** Exhibit Y must include information about noise generated by construction and
27 operation of the proposed facility, providing evidence to support a finding by the Council that
28 the proposed facility complies with the Oregon Department of Environmental Quality’s noise
29 control standards in OAR 340-035-0035.

30
31 Under OAR 345-021-0010(1)(y)(A), Exhibit Y must identify noise sensitive receptors and
32 predicted noise levels from all potential noise-generating components of the proposed facility.
33 Based on the type of facility (transmission line) and associated noise (minimal corona noise),
34 the analysis area for this regulation includes the area within and extending ½-mile from the site
35 boundary.

36
37 Under OAR 345-021-0010(1)(y)(B), Exhibit Y must include an analysis demonstrating that the
38 predicted noise levels will not exceed the ambient antidegradation standards established under
39 OAR 340-035-0035. Operational noise generated by the proposed facility may not increase the
40 ambient statistical noise levels, L10 or L50, by more than 10 A-weighted decibels (dBA) in any
41 one hour and may not exceed the levels specified in Table 9 below.

42
43 **Table 9: New Industrial and Commercial Noise Source Standards Allowable Statistical**
44 **Noise Levels in Any One Hour (OAR 340-035-0035, Table 8)**

7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
L50 – 55 dBA	L50 – 50 dBA
L10 – 60 dBA	L10 – 55 dBA
L1 – 75 dBA	L1 – 60 dBA

1
2 The analysis must include a discussion and justification of the methods and assumptions used,
3 including methods used to measure ambient noise levels at the site. OAR 340-035-0035(3)
4 provides that sound measurement procedures must conform to the procedures set forth in
5 Sound Measurement Procedures Manual (NPCS-1). If the applicant’s sound measurement
6 procedures differ from the NPCS-1, please provide a discussion and basis for the variation. The
7 analysis must evaluate noise impacts using the maximum expected noise levels from all noise-
8 generating equipment during construction and operation. Operational noise shall be evaluated
9 from both stationary sources and corona noise from transmission lines.

10
11 Under OAR 345-021-0010(1)(y)(E), Exhibit Y must include a list of the names and addresses of
12 all owners of all dwellings or other noise sensitive properties within one mile of the proposed
13 site boundary; however, if the Applicant determines potential exceedances of the ambient
14 antidegradation standards may occur beyond the 1-mile distance, impacts to noise sensitive
15 properties within the area of potential exceedance must be evaluated. The applicant is not
16 required to conduct ambient noise monitoring at each noise sensitive property; however, the
17 number of ambient monitoring sites shall be sufficient to reasonably represent the ambient
18 noise conditions at noise sensitive receptor locations in closest proximity to the proposed site.

19
20 Under OAR 345-021-0010(1)(y)(C) and (D), Exhibit Y must describe any measures the applicant
21 proposes to reduce noise levels or noise impacts or to address public complaints about noise
22 from the facility and any measures the applicant proposes to monitor noise generated by
23 operation of the facility. This information must be provided regardless of whether any
24 exceedances of the ambient antidegradation standards are expected.

25
26 Z. Exhibit Z – Cooling Tower Impacts

27
28 **Applicable Paragraphs:** OAR 345-021-0010(1)(z) does not apply because the applicant has not
29 proposed to construct an evaporative cooling tower in relation to the proposed facility.

30
31 AA. Exhibit AA – Electric and Magnetic Fields

32
33 **Applicable Paragraphs:** All paragraphs apply.
34 **Related Council and Other Standards:** Specific Standards for Transmission Lines [OAR 345-024-
35 0090].

36 **Discussion:** Because the proposed facility is a transmission line, the provisions of OAR 345-021-
37 0010(1)(aa) and OAR 345-024-0090 apply.

38
39 Exhibit AA must include sufficient information to support a finding that the applicant:

- Can design, construct, and operate the proposed transmission line so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public.
- Can design, construct, and operate the proposed transmission line so that induced currents resulting from the transmission lines will be as low as reasonably achievable.

This must include the information about the expected electric and magnetic fields from each transmission line route required under OAR 345-021-0010(1)(aa)(A), and information about any radio interference likely to be caused by the transmission line.

BB. Exhibit BB – Other Information

Related Council and Other Standards: General Standard of Review [OAR 345-022-0000]

Discussion: No additional information is requested at this time

CC. Exhibit CC – Other Law

Related Council and Other Standards: General Standard of Review [OAR 345-022-0000]

Discussion: All requirements apply.

(cc) Exhibit CC. Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules, and ordinances. The applicant must identify all statutes, administrative rules, and ordinances that the applicant knows to be applicable to the proposed facility, whether identified in the Project Order. To the extent not addressed by other materials in the application, the applicant must include a discussion of how the proposed facility meets the requirements of the applicable statutes, administrative rules, and ordinances.

DD. Exhibit DD – Specific Standards

Applicable Paragraphs: Paragraph (C) applies.

Related Council and Other Standards: Specific Standards for Transmission Lines [OAR 345-024-0090].

Discussion: The Council applies specific standards for transmission lines under its jurisdiction in OAR 345-024-0090. The applicant must provide analysis regarding compliance with OAR 345-024-0090 in Exhibit AA.

IV. ANALYSIS AREAS FOR THE PROPOSED FACILITY

The analysis areas are the areas that the applicant must study for potential impacts from the construction and operation of the proposed facility.

- 1 For all potential impacts, the minimum analysis area includes the site boundary. For many other impacts, the analysis area includes
- 2 the area within and extending certain distances from the site boundary, as presented in Table 10.

3

Table 10: Analysis Areas

Exhibit	Analysis Area	Analysis Area Basis
Exhibit H – Geologic and Soil Stability	The area within the site boundary, except that the desktop analysis for seismic hazards shall extend 50 miles from the site boundary	Extent of desktop analysis is based on NOI comments from DOGAMI
Exhibit I – Soils	The area within the site boundary	Default minimum, site boundary
Exhibit J – Waters of the State and Removal-Fill	The area within the site boundary	Default minimum, site boundary
Exhibit K – Land Use	The area within and extending ½-mile from the site boundary	Consistent with established study area distance (OAR 345-001-0010(35)(c))
Exhibit L – Protected Areas	The area within and extending 2-miles from the site boundary	Based on the location of the proposed facility predominately in developed areas or in parallel to existing energy infrastructure or other linear facilities, 2-miles determined by the Department to adequately extent of potential impacts
Exhibit P – Fish and Wildlife Habitat	The area within and extending ½-mile from the site boundary	Consistent with established study area distance (OAR 345-001-0010(35)(c))
Exhibit Q – Threatened and Endangered Species ¹	The area within the site boundary, except that the desktop analysis shall extend 5 miles from the site boundary	Consistent with study area for fish and wildlife habitat, and based on limited potential impacts occurring outside the site boundary
Exhibit R – Scenic Resources	The area within and extending 2 miles from the site boundary.	Based on the location of the proposed facility predominately in

Table 10: Analysis Areas

Exhibit	Analysis Area	Analysis Area Basis
		developed areas or in parallel to existing energy infrastructure or other linear facilities, 2-mile analysis area determined by the Department to adequately address extent of potential impacts
Exhibit S – Historic, Cultural and Archaeological Resources	For archeological resources, the area within the site boundary For historic, above-ground resources, the area extending 1 mile from the site boundary	Consistent with SHPO guidance
Exhibit T – Recreation ¹	The area within and extending 2 miles from the site boundary	Based on the location of the proposed facility predominately in developed areas or in parallel to existing energy infrastructure or other linear facilities, 2-mile analysis area determined by the Department to adequately address extent of potential impacts
Exhibit U – Public Services	The area within and extending 10 miles from the site boundary	Default minimum, site boundary
Exhibit V – Wildfire Prevention and Risk Mitigation	The area within and extending ½ mile the site boundary	Consistent with established study area distance (OAR 345-001-0010(35)(c))
Exhibit Y – Noise	The area within and extending ½- mile from noise generating components.	Based on the type of facility (transmission line) and associated noise (minimal corona noise), ½-mile determined by the Department to

Table 10: Analysis Areas

Exhibit	Analysis Area	Analysis Area Basis
		adequately address extent of potential impacts
Exhibit AA – Electric and Magnetic Fields	The area within the site boundary	Default minimum, site boundary
<p>Notes:</p> <ol style="list-style-type: none">OAR 345-001-0010(35)(g) states that, “the distances stated in subsections (a) and (d) above do not apply to..transmission lines.” Subsection (a) establishes the study area distance for “impacts to threatened and endangered plant and animal species, 5 miles”; subsection (d) establishes the study area distance for “impact to recreational opportunities, 5 miles.”		

1

1 **V. EXPIRATION DATE OF THE NOTICE OF INTENT**

2
3 The NOI will expire on April 25, 2025, unless the applicant submits a petition to extend the
4 expiration date in accordance with OAR 345-020-0060 not less than 45 days before that date. If
5 the Council finds that such a petition shows good cause, the Council may extend the expiration
6 date for up to one year. The applicant's submission of a timely petition for an extension under
7 this rule stays the expiration of the NOI until the Council's decision to grant or deny the
8 extension.
9

10 **VI. PROJECT ORDER AMENDMENT AND APPLICATION COMPLETENESS**

11
12 As provided in ORS 469.330(4) and OAR 345-015-0160(3), the Council or the Department may
13 amend this Project Order at any time. Amendment may include changes to the analysis areas.
14 To issue a site certificate, the Council must determine that the proposed facility complies with
15 Oregon statutes and administrative rules identified in the Project Order, as amended, as
16 applicable to the issuance of a site certificate for the proposed facility (ORS 469.503(3)).
17

18 Under OAR 345-015-0190(5), when the Department determines the ASC contains adequate
19 information for the Council to make findings or impose conditions on all applicable Council
20 standards, the Department will issue a determination of completeness on the ASC. The
21 Department may determine that the ASC is complete without requiring the applicant to submit
22 all information described under OAR 345-021-0000 and -0010. In accordance with OAR 345-
23 015-0190(9), after a determination that an ASC is complete, the Department may require
24 additional information from the applicant if additional information is needed during its
25 continued review of the ASC.
26

27 **VII. APPLICABILITY AND DUTY TO COMPLY**

28
29 Failure to include an applicable statute, rule, ordinance, permit or other requirement in this
30 Project Order does not render that statute, rule, ordinance, permit or other requirement
31 inapplicable, nor in any way relieve applicant from the duty to comply with the same.
32

33 OREGON DEPARTMENT OF ENERGY
34

35
36 *Todd Cornett*
37 Todd Cornett (Sep 14, 2023 11:17 PDT)
38

39 Todd R. Cornett, Assistant Director, Siting Division
40 Energy Facility Siting Division
41 Oregon Department of Energy
42

43 Date of Issuance: September 14, 2023

Lone Pine to Whetstone 230 kV Transmission Line

Project Order Attachment 1:

Public Comment Index and Comments Received on Notice of Intent

Attachment 1: Public Comments Received on the NOI

Public Comments Received by ODOE in Written Comments via Comment Card, Email, Mail, and ODOE Comment Portal

Name of Commenter	Date Comment Received	Comment summary – Issues/Concerns Raised in Comments	Relevant EFSC Standard(s)	Preferred Alternative Identified in Comments
Kathy Partch	05/27/2023	Proposes underground transmission line, concerns about impacts of transmission line on property values of affected landowners.	Need Standard for Non-Generating Facilities	East
Stephen Kircher	05/30/2023	Concerns about ROW, impacted landowners, route over private properties, and impacts to wetlands and streams	Land Use, Removal Fill, Fish and Wildlife Habitat	-
Kenton Matthewson	05/31/2023	Opposes western route and impacts on private property, should follow industrial areas.	Land Use	East
Aggie Horton	06/06/2023	Opposes western route – will impact property, irrigation access, property values, crops and livestock	Land Use	East
Reid Murphy	06/06/2023	Opposed to transmission line near White City (east route) owns property on Avenues A and G. Easements and ROW.	Land Use	-
Wendy Vaughan	06/07/2023	Concerns about health and environment from transmission lines – human and wildlife impacts, ROW and compensation for landowners	Land Use, Health and Safety of Transmission Lines, Fish and Wildlife Habitat, Threatened and Endangered Species	-
Kari Hatten	06/07/2023	Opposes West route, Concerns about impacts on property values (provides citations), soil impacts and stability concerns, footings and placement of poles, wetlands impacts, noise impacts on wildlife and livestock	Structural, Soil Protection, Removal Fill, Noise, Land Use, Noise, Fish and Wildlife	-
Mike Malepsy	06/09/2023	Opposes western route. Concerns about impacts to residential and school areas, impacts on property	Land Use, Public Services	East

Attachment 1: Public Comments Received on the NOI

		values. Eastern route follows industrial, roads, existing high voltage lines and is preferred route.		
Les Krieg & Jeanne Grazioli-Krieg	06/12/2023	Opposes both alternative routes. Requests additional alternatives, because both routes have impacts on scenic resources, property values. Should follow existing lines, since much of East route already does.	Scenic Resources, Need Standard for Non-Generating Facilities	-
Peter Burch	06/19/2023	Opposes western route. Western route would impact residential areas, kids, schools, views.	Public Services, Scenic Resources, Recreation, Public Health and Safety of Transmission Lines	East
Emily Skene	06/27/2023	Opposes Eastern route. Transmission line will increase wildfire risk is high along the eastern route. Negative impacts to views and property values.	Wildfire Risk Prevention, Scenic Resources	-
John Higley	06/28/2023	Opposes Eastern route. Negative impacts to scenic resources, scenic views, scenic byway especially Foothills Road.	Scenic Resources	-
John Higley	06/29/2023	Opposes Eastern route. Concerned about impacts of high voltage overhead lines to wildlife, natural resources, biodiversity, migratory birds and habitat, Swanson Creek and Coker Butte Road.	Fish and Wildlife Habitat	-
Amy Jensen	06/29/2023	Opposes Eastern Route. Negative impacts to scenic views and property values and increase in fire risk, along Manzanita Heights Drive.	Scenic Resources, Wildfire Risk Prevention	-
John Higley	07/06/2023	Opposes Eastern route. Concerns about impacts to scenic views and property values, along Dry Creek Road, Dodson Road and other areas along Eastern route. Underground line should be considered. Consider a route toward Roxy Ann. Opposes any route that impacts personal residences.	Scenic Resources, Need Standard for Non-Generating Facilities	-
John Higley	07/06/2023	Opposes both alternative routes and questions if the transmission line is even necessary. Concerns about impacts to residences and views. Requests additional alternatives be considered.	Scenic Resources, Need Standard for Non-Generating Facilities	-

Attachment 1: Public Comments Received on the NOI

James Davis	07/06/2023	Opposes Eastern route. Will have negative impact on high-value homes in the Roxy Ann Homeowners Association (RAHHA) neighborhood. RAHHA views will be impacted and will impact property values.	Scenic Resources, Need Standard for Non-Generating Facilities	-
Marcy Black	07/07/2023	Eastern route has least impacts, best alternative. Western route will negatively impacts neighborhood and property values.	N/A	East
Mark Tuai	07/07/2023	Supports eastern route and opposes Western route. Concerns about impacts of western route on wildfire risk, housing, fire protection, schools, and recreational resources, public spaces, wildlife and migratory species, Eastern route has fewer impacts.	Wildfire Risk Prevention, Public Services, Recreation, Scenic Resources, Protected Areas, Fish and Wildlife Habitat	East
Patricia Smullin	07/07/2023	Supports eastern route and opposes Western route. Concerns about impacts of western route on wildfire risk, housing, fire protection, schools, and recreational resources, public spaces, wildlife and migratory species, Eastern route has fewer impacts.	Wildfire Risk Prevention, Public Services, Recreation, Scenic Resources, Protected Areas, Fish and Wildlife Habitat	East
John Higley	07/07/2023	Opposes transmission line project. Requests more information on sources cited by PacifiCorp in public meeting on EMF and property value impacts from transmission lines.	Health and Safety of Transmission Lines, Need Standard for Non-Generating Facilities	-
John Higley	07/07/2023	Concerns that PacifiCorp is trying to rush environmental review. Concerns about impacts to Foothills Road and PacifiCorp plans for easements along that road.	Land Use, Need Standard for Non-Generating Facilities	-
John Higley	07/07/2023	Concerns about route impacts on Foothills Road, scenic views, property values and transmission lines. Proposes underground route alternative be considered.	Scenic Resources, Public Health and Safety of Transmission Lines, Need Standard for Non-Generating Facilities	-

Attachment 1: Public Comments Received on the NOI

David Street	07/07/2023	Opposes Eastern route, impacts on property values, and risk of wildfires and public health,	Public Health and Safety of Transmission Lines, Wildfire Risk Prevention	-
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Attachment 1: Public Comments Received on the NOI

Oral Comment Summary from June 7, 2023 Public Information Meeting in Medford

Committer Name	Comment Summary	Relevant EFSC Standard
Brian C. (Inaudible last name)	Asked about benefits to landowners if ROW on their property. Property value concerns and impacts. Concerns about public health, impacts on humans, children and animals, livestock, Electromagnetic fields (EMF), wildfire risk and fire services, notification of owners for access to property, compensation of landowners if in ROW, negative impacts to property values. Wildfire risk and impacts in area are high.	Land Use, Public Health and Safety of Transmission Lines, Wildfire Risk Prevention, Public Services, Need Standard for Non-Generating Facilities
Les Krieg	Questions purpose and need for this line as proposed in the alternative routes, comments about circuits needed, why not utilize the routes and alignment of the existing lines?	Need Standard for Non-Generating Facilities
Ann Beier, Councilmember, EFSC	Commenting on the importance of the siting public process and public participation and comments.	N/A
No name given.	Questions to PacifiCorp about impact on property values and any studies available.	N/A

Attachment 1: Public Comments Received on the NOI

Comments Received at Public Information Meeting at GIS Mapping Station June 7, 2023

Commenter Name	Comment Summary	Relevant EFSC Standard	Preferred Route Alternative – if identified
Paul Cline	The Cline's came in to see if there would be poles adjacent to their property. It is too early to know for sure, but currently there is not anything directly adjacent to their property. They are also concerned about the fire risk associated with the right-of-way (ROW) since the ROW has not been as well maintained as they would like to see. It is a fire danger currently. (Three fires started by lightning yesterday.) They don't want the line to be louder either.	Public Services, Public Health and Safety of Transmission Lines, Wildfire Risk Prevention, Noise	
John W. Kesterson	The Kesterson's have a Stage 4 cancer patient in their home, and they are concerned about the effects of the electric and magnetic fields (EMF) from the transmission line on the health of the patient. They are concerned with property value. They have lived in the house for 30 years and this line will force them to move.	Public Health and Safety of Transmission Lines	
Wendy C. Vaughn	Wendy came in to state her objection to the project. She previously provided comments to Pacific Power.	N/A	
Les Krieg and Jeanne Graziolo-Krieg	Les prefers the eastern route. Currently he has a structure in his front yard. He will submit additional comments.	N/A	East
Mike Malepsy Coker Butte Development LLC	The property [is in ROW] and is going to be developed, there is a Medford middle school and residential property planned for this parcel (planned for 2025). They already have an existing transmission line across the edge of the property. This is an urban area. The eastern route is more rural.	Public Services	
Mark (no Last Name given) Rentals LLC	Mark came in to comment and see how alternatives might affect the property. Mark represents the owner.	N/A	

Attachment 1: Public Comments Received on the NOI

Adelia A. Coffman	Adelia came in see how the project would affect her property. She does not want the line across her property. She built her home to shield against EMF but doesn't feel like she could against 230 kV. She doesn't want to see the property devalued. She is part of all of these properties.	Public Health and Safety of Transmission Lines	
Bryan Cham	The Cham's came into the see how the project would affect their property. They asked why the corner structure couldn't be on the Medford City property. The are concerned about the affects to property values. They asked about the restrictions within the ROW and that that might affect the building of a barn for farm animals. The point represents a well they would not want affected.	Land Use, Public Services	
James R. and Penny Oberlander	James and Penny came in. The have a 69 kV on their property already. If the alternative is on the other side of the road, they are ok with that alternative.	N/A	
Dave and Becky Ricks DB Land Development LLC	This HP Land parcel was just purchased by DB Land Development LLC. Dave and Becky Ricks were in commenting. They are ok with the alternative across the road from them.		
John A. and Kimberly S. Higley	Kimberly and John came in to see how their property is affected by the alternative. The eastern alternative crossed the edge of their property along Foothills Road.	N/A	
Wilma and John Bartholomew Family Trust	Wilma and John came in to see how the alternative would affect their property. While the current alignment does not directly cross their property, the easement does. The house is marked. Their view is to the west and the alternative would ruin their view and greatly devalue their property.	N/A	
Michael Wayne Jantzer, Trustee.	Dave Schober, PacifiCorp, talked with the couple that owns this property. They have run two 16-inch water lines to this property. They are planning on subdividing the property.	Public Services	

Attachment 1: Public Comments Received on the NOI

<p>Brent F. and Cindy K. Conner</p>	<p>The house is marked. Her husband flies small airplanes. There are two runways on the property, marked. They are not Federal Aviation Administration (FAA) registered airstrips. She is concerned about the property value changes. They have concerns about the high irregular winds that regularly cause damage and how those might affect the transmission line. Dave Schober, PacifiCorp, explained about the conductor wires and blowout and how that reduces wildfire risk. Cindy's kitchen window view also would be affected (east and south). On this property and neighboring properties there is an elk herd year-round.</p>	<p>Public Services, Public Health and Safety of Transmission Lines, Wildfire Risk Prevention, Fish and Wildlife Habitat</p>	
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Attachment 1: Public Comments Received on the NOI

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Sat 5/27/2023 4:37 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Kathy Partch

Email: partchkathy@gmail.com

Zip Code: 97504

Siting Project Phase: *NOI*

Comment Summary:

Why no consideration of underground utility placement?

Opinion on West Vs. East placement

Unhelpful Exhibit

Please Click on the following link to view the full Comment Details

Comment Summary

Why no consideration of underground utility placement?

Opinion on West Vs. East placement

Unhelpful Exhibit

Comment Date

5/27/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit G - Maps

Page Number(s)

Figure C-2 Alternate Route Site Boundary Page 5 of 5

Council Standards

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Comment

n this day and age of windstorms, fire storms and, sadly, under the influence drivers who hit utility poles, we find it hard to believe that underground utilities are not being considered. With all the excavating that will take place to complete this project, it seems there would be an opportunity.

In looking at the 2 choices, the West route verses the East route, it appears that while more mileage, the East route would impact fewer property owners who are already being affected by the construction mess, noise, property easements and general lack of knowledge considering other facets of the project, such as where will the sound wall be placed, what type of construction, how high, etc. To now have to deal with 75 - 120 foot poles "in your front yard" seems like adding insult to injury. We purchased our

home in Spring of 2017 and have since discovered that IF the selling or buying real estate agents knew of proposed plans to widen Foothill, they did not share that information. We, along with many of our neighbors, have property that was purchased for over half of a million dollars. It is not a stretch to say there will be a smaller interested pool of prospective buyers based upon having a 4 lane road with bike lanes and sidewalks literally feet from our front door. While I know this is not Berkshire Hathaway's "problem", they can certainly be a small part of a solution that will ease some of the concern property owners along Foothill have.

The Public Notice that we received contained a very poor-quality map with too few identifying road names in order to try and figure out where our house was. I did receive assistance from Chris at the Oregon Department of Energy. He provided Lone Pine To Whetstone Figure F-1 Property Ownership, Page 1 of 25 which provided much more detail, allowed us to find our property and showed a clearer picture of the relation of the West route to our home. I would suggest all affected property owners receive this detailed information.

Attachments: No files were attached

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Tue 5/30/2023 11:23 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization: none

Submitted by: stephen kircher

Email: stevekircher@charter.net

Zip Code: 97502

Siting Project Phase: NOI

Comment Summary:

Please Click on the following link to view the full **Comment Details**

Comment Summary

—

Comment Date

5/30/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit D - Transmission or Pipeline

Page Number(s)

1 - 5

Council Standards

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Comment

the idea of this transmission line going thru private residential property is ridiculous. There is a creek, wetlands and the general devaluation of the property. This WILL NOT GO THROUGH OR NEAR MY PROPERTY!!!

Attachments

No files were attached.

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Wed 5/31/2023 2:12 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Kenton Mathewson

Email: phousemech@gmail.com

Zip Code: 98617

Siting Project Phase: *NOI*

Comment Summary:

Opposed to Lone Pine to Whetstone Substation West Transmission line site

Please Click on the following link to view the full **Comment Details**

Comment Summary

Opposed to Lone Pine to Whetstone Substation West Transmission line site

Comment Date

5/31/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit D - Transmission or Pipeline

Page Number(s)

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Council Standards

—

Comment

I am the owner of 7032 Downing Rd Central Point OR. Tax lot, 362W23-00-00600 and tax lot 362W23-00-00601.

I am opposed to the West Alternative Route of the proposed transmission line crossing my property.

The city of Medford has adjacent property to the north and east which is vacant and zoned for general industrial. It would seem that would be the most desirable if the west route is selected.

Thank you for your consideration,

Kenton Mathewson

Attachments

No files were attached.

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Tue 6/6/2023 8:15 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Aggie Horton

Email: aggiehorton@yahoo.com

Zip Code: 97502

Siting Project Phase: *NOI*

Comment Summary:

Impact of 230 kV Transmission Line if it follow the West Alternative Route Site, which will go right through the center of my property.

Please Click on the following link to view the full [Comment Details](#)

Comment Summary

Impact of 230 kV Transmission Line if it follow the West Alternative Route Site, which will go right through the center of my property.

Comment Date

6/6/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit D - Transmission or Pipeline

Page Number(s)

1-5

Council Standards

—

Comment

I'm unable to attend the June 7 Informational meeting, but wanted to provide my comments. The proposed West Alternative Route Site would go right through the center of my property. I've lived at the location for only 1 year, but my intention when purchasing was to use it as a supplemental income when I retire in the next 2-3 years. This line will directly affect that, will affect my irrigation access, and will greatly reduce the value of my property, not to mention health issues that occur with large power lines that close to me and nearby livestock.

I am surrounded by farms and this line will affect livelihoods, including crops as well as livestock. Even if there's some monetary compensation, it won't change the fact that the value of the properties going forward will be greatly diminished. The path of this particular route will greatly impact people in a profoundly negative way and I strongly request a different route is ultimately chosen.

Thank you,
Aggie Horton

Attachments

No files were attached.

RE: Fw: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Reid <reid@ramurphyconstruction.com>

Tue 6/6/2023 10:01 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Thanks,

Do you have any better plans of the proposed routes.

The issue is if 125ft easements are created the location could be detrimental to our property.

thx

Reid Murphy

----- Original message -----

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Date: 6/6/23 9:49 AM (GMT-08:00)

To: reid@ramurphyconstruction.com

Subject: Fw: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Hello,

Thank you for submitting comments on this Notice of Intent. I am attaching a link to the project webpage that has all the project information we have to-date. This webpage will be updated with additional project information as we receive it from the applicant (PacifiCorp).

[State of Oregon: Facilities - Lone Pine to Whetstone 230 kV Transmission Line](#)

Information on our Public Meeting in Medford, to be held tomorrow evening (6/7/23) is included in the Public Notice (attached). You can attend in person or participate online.

Also, I am including a couple of attached documents that outline our review process for a proposed facility.

Please let me know if you have any additional information requests or comments on this Notice of Intent.

Thank you,

State of Oregon: Facilities - Energy Facility Siting

From: ODOE ITService * ODOE <ODOE.ITService@oregon.gov>

Sent: Tuesday, June 6, 2023 9:27 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Subject: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Organization: J R Development

Submitted by: Reid Murphy

Email: reid@ramurphyconstruction.com

Zip Code: 97504

Siting Project Phase: NOI

Comment Summary:

We own acreage on ave G and ave A and do not support the Transmission line construction in White City, Oregon.

Pls send a detail of the proposal.

Reid Murphy

Please Click on the following link to view the full Comment Details

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Thu 6/22/2023 11:05 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Wendy Vaughan

Email: walter.adams@oregon.gov

Zip Code:

Siting Project Phase: *NOI*

Comment Summary:

See attachment

Please Click on the following link to view the full **Comment Details**

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: JUNE 7, 2023 Location: MEDFORD OREGON

REGISTRATION FOR PUBLIC COMMENT ON LONE PINE TO WHETSTONE TRANSMISSION PROJECT

Name: Wendy Sawyer
Address: 5876 Peace Lane

I represent (if applicable) _____
Print your name OR your organization/business name.

I wish to make a public comment

I wish to submit the following written comment:

Do you know how much effect the tower lines will have on the health and well being of the humans, animals and general wildlife in this power line?
Is there compensation for the impact the power line will have on value and health of the property owners?

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

PLEASE RETURN THIS FORM TO THE COUNCIL ASSISTANT
*See reverse for tips on giving testimony

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Thu 6/22/2023 10:57 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Kari Hatten

Email: walter.adams@oregon.gov

Zip Code:

Siting Project Phase: *NOI*

Comment Summary:

See attachment

Please Click on the following link to view the full **Comment Details**

PLEASE RETURN THIS FORM TO THE COUNCIL ASSISTANT

*See reverse for tips on giving testimony

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: JUNE 7, 2023 Location: MEDFORD OREGON

REGISTRATION FOR PUBLIC COMMENT ON LONE PINE TO WHETSTONE TRANSMISSION PROJECT

Name: Kari Hatten

Address: 5900 Peace Lane Central Point OR 97502

I represent (if applicable) Kari Hatten
Print your name OR your organization/business name.

I wish to make a public comment

I wish to submit the following written comment:

I oppose the west route for the lone pine to whetstone project for the following reasons:

- decrease of property value
- research articles of support
 - 2018 Study Published in "Journal of Real Estate Research"
 - Property within 1000 feet of line has a decrease of 17.9% for developed property + 44.9% for lots
 - 2019 Article in "Appraisal Journal" reviewed 50 studies and found the greatest risk of impact for high voltage transmission lines is an unobstructive view of the powerlines.
 - my property falls with the 1000ft + will have an unobstructive view of the lines.
- Soil stability - the soil on from foothills rd to Peace lane ->

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

How to Testify at Energy Facility Siting Council Meetings and Public Hearings:

State your name and address for the record and indicate whether you are speaking for yourself or for a group.

Keep your statement **concise**..

Begin your statement by stating whether you support or oppose the Lone Pine to Whetstone Transmission Line Project and why. Describe how the issue(s) affects you or your group and feel free to suggest a solution. If you are opposing the project, discuss how you see the proposal as inconsistent with existing laws, rules or ordinances.

It may help to prepare an outline of your testimony to use while speaking. If you wish, you can leave this testimony with the Staff.
Continued,

"I'm primarily clay (black study)

• when building an addition to our home in 2023, we had to dig down a bit to discover red clay. for stability of the foundation of the addition the cement here was weak filled with gravel. Now will the pole be footing be stabilized?

• CONCERN - the poles on E Vilas Rd were just replaced in 2022 at which time the pole were leaning greatly due to unstable clay soil.

• Environmental Impact

• Wetland - the West route will be going through a wetland Reserve. There are studies that indicate it's the only way to not impact wetland Reserve is to not build in the reserve.

• noise/pollution/impact

• I have horses & the humming will adversely affect the horses I have

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Thu 6/22/2023 10:55 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Mike Malepsy

Email: mikemalepsy@windermere.com

Zip Code:

Siting Project Phase: *NOI*

Comment Summary:

See attachment


Please Click on the following link to view the full **Comment Details**

Lone Pine to Whetstone written comments opposing the West route

Mike Malepsy <mikemalepsy@windermere.com>

Fri 6/9/2023 3:17 PM

To: SLOAN Kathleen * ODOE <kathleen.SLOAN@energy.oregon.gov>

 3 attachments (951 KB)

scan06092023_20230609142846.pdf; scan06092023_20230609142906.pdf; scan06092023_20230609142918.pdf;

Hi Kathleen

I was at the 6/7 public hearing meeting and I would like to congratulate you and your team on your presentation. You did a good job explaining the project. I understand that I can submit to you in writing my opposition to the West route that is next to our property as shown in the attachments. I had written to you before but thought I would overdo it to emphasize how I feel this is not the best route. We are now in City of Medford and have a conceptual plan to develop the property, see attached. We are in the process of donating 20 Ac to the Medford School Dist. They plan a middle school in the near future. This is a residential area with high density and we do not want an industrial type line on the frontage of a future great neighborhood. There is a possibility of 3000 people living in this neighborhood and the school population. The proposed West route continues to go through existing residential areas devaluing property values along the way. The East route will be next to a By Pass highway and intersects Hwy 140 where you already have a 500 KV line and right away. Please choose the East route as it has the least amount of human impact to the residents and the community. Thank you for allowing me to make this part of the written comments opposing the West line route. Sincerely Mike Malepsy

Mike Malepsy

Principal Broker

Owner



WINDERMERE TRAILS END REAL ESTATE, LLC

mikemalepsy@windermere.com

CELLULAR | [541-840-1424](tel:541-840-1424)

OFFICE | [541-878-2249](tel:541-878-2249)

21675 Highway 62 / PO Box 1004 / Shady Cove, OR 97539

WindermereTrailsEnd.com



Licensed in the State of Oregon

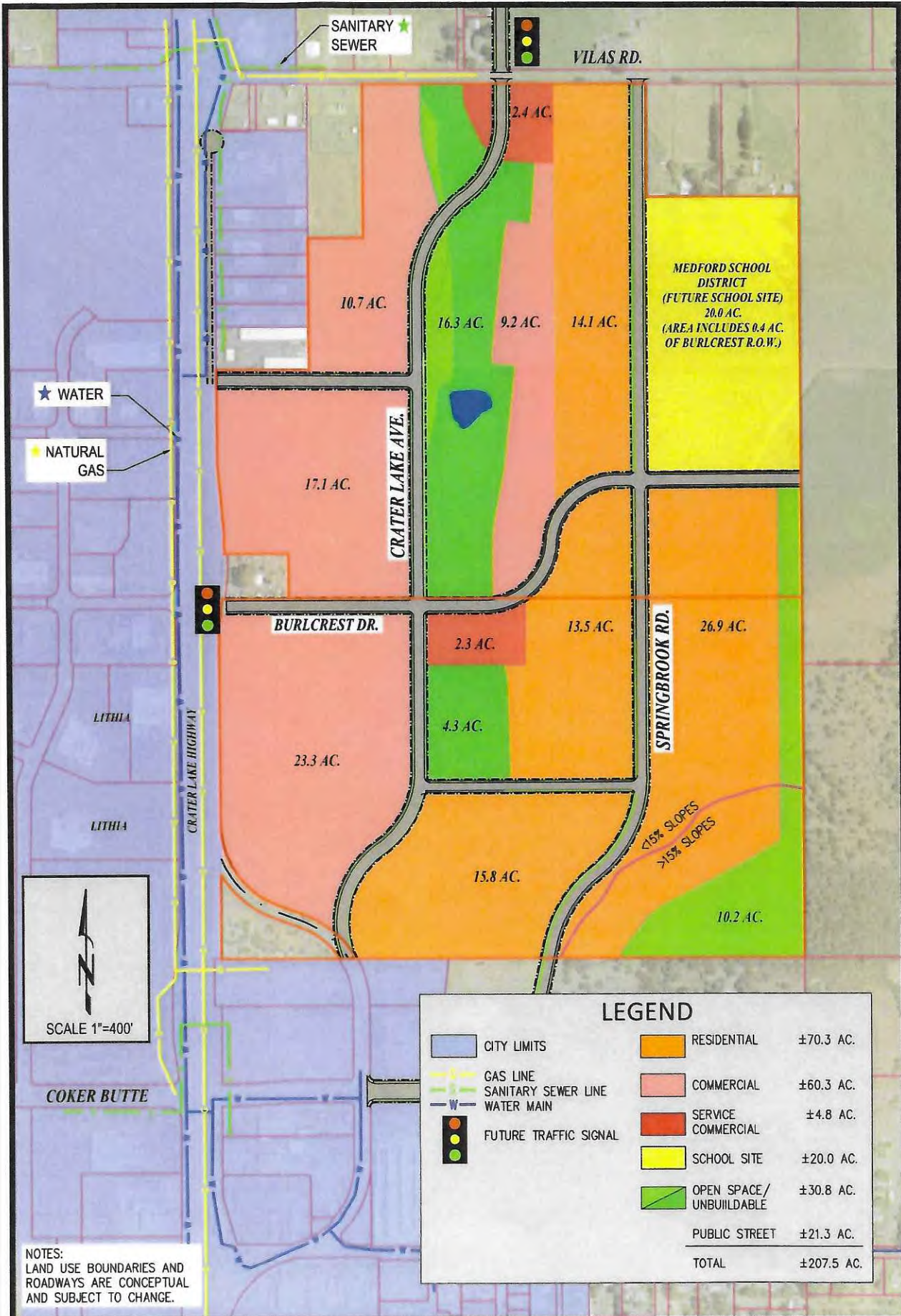
Click here for the [Agency Disclosure Pamphlet](#)

Buyers check out the [Oregon Property Buyer Advisory](#).

Sellers check out the [Oregon Property Seller Advisory](#).

IMPORTANT NOTICE: Never trust wiring instructions sent via email. Cyber criminals are hacking email accounts and sending emails with fake wiring instructions. These emails are convincing and

sophisticated. Always independently confirm wiring instructions in person or via a telephone call to a trusted and verified phone number. Never wire money without double-checking that the wiring instructions are correct.



★ WATER

☀ NATURAL GAS

SANITARY SEWER

VILAS RD.

MEDFORD SCHOOL DISTRICT
(FUTURE SCHOOL SITE)
20.0 AC.
(AREA INCLUDES 0.4 AC. OF BURLCREST R.O.W.)

SCALE 1"=400'

COKER BUTTE

NOTES:
LAND USE BOUNDARIES AND ROADWAYS ARE CONCEPTUAL AND SUBJECT TO CHANGE.

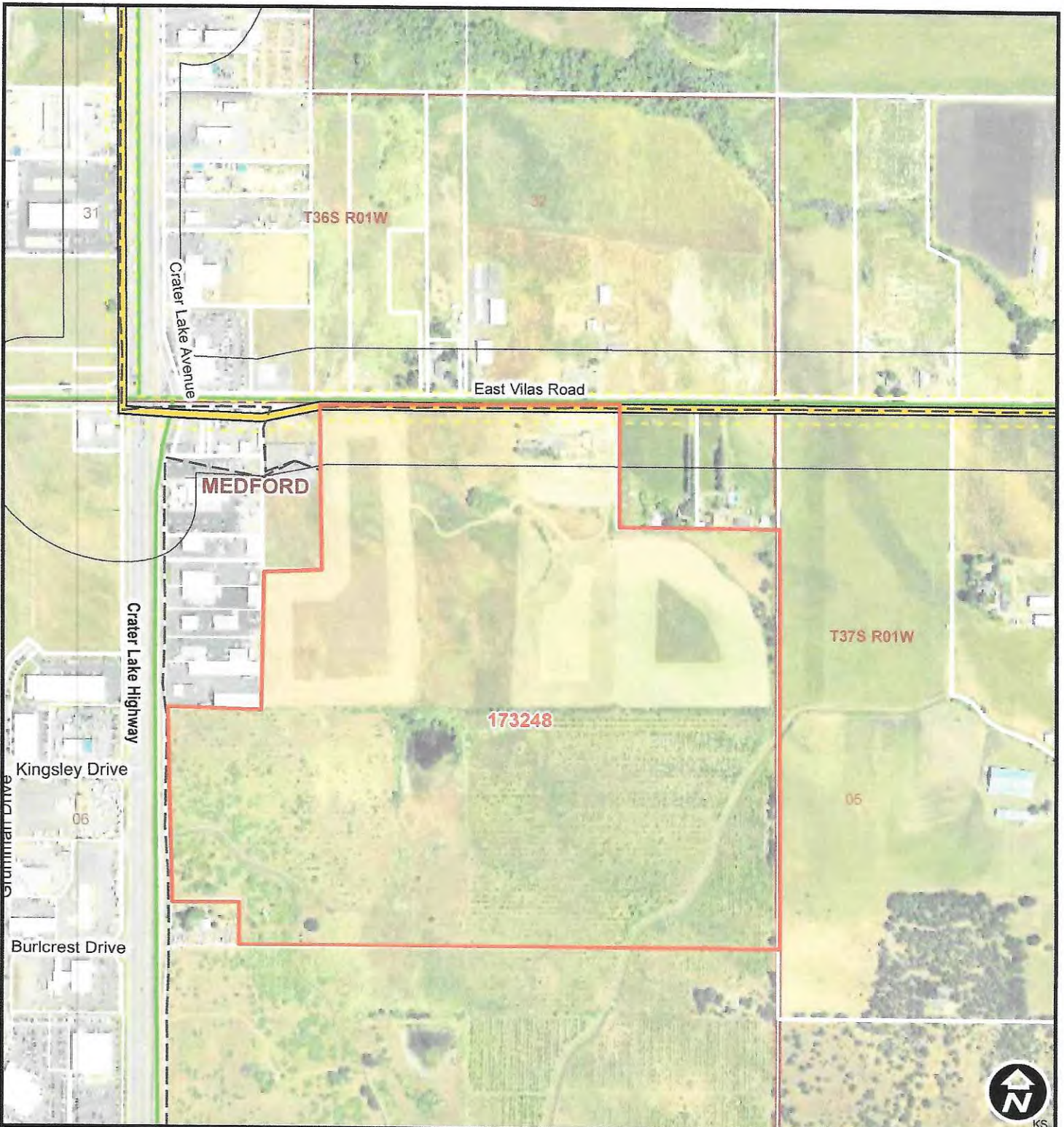
LEGEND

	CITY LIMITS		RESIDENTIAL	±70.3 AC.
	GAS LINE		COMMERCIAL	±60.3 AC.
	SANITARY SEWER LINE		SERVICE COMMERCIAL	±4.8 AC.
	WATER MAIN		SCHOOL SITE	±20.0 AC.
	FUTURE TRAFFIC SIGNAL		OPEN SPACE/ UNBUILDABLE	±30.8 AC.
			PUBLIC STREET	±21.3 AC.
			TOTAL	±207.5 AC.



COKER BUTTE DEVELOPMENT
CONCEPTUAL SITE PLAN

Revised: 8-17-21 EHM





Comment: This property is going to be developed, There is a Medford middle school and residential property planned for this parcel. (Planned for 2025) They already have an existing transmission line across the edge of the property. Mike Malepsy was in commenting. This is an urban area. The eastern route is more rural.

Date: 6/7/2023 5:32:48 PM		Comment ID: 173248	
Name: COKER BUTTE DEVELOPMENT LLC			
Address 1: PO BOX 2150			
City: DEL MAR		State: CA	Zip Code: 92014
Telephone:		Email:	

C O M M E N T F O R M

Project Name



 Comment Geometry

1 inch = 600 feet

Mike Malepsy

From: Mike Malepsy
Sent: Thursday, April 6, 2023 3:19 PM
To: kathleen.SLOAN@energy.oregon.gov
Cc: Philip Dunn
Subject: Lone Pine to Whetstone right of entry request/ 371w05300
Attachments: scan04062023_20230406140749.pdf; scan04062023_20230406143406.pdf; scan04062023_20230406143230.pdf

Hi Kathleen

I am writing you in regards to the Lone Pine to Whetstone 230 KV proposed route adjacent to our property. I had been dealing with Philip Dunn and at his request I am submitting our denial of the request to access our property and our objection to the line being placed adjacent to our property. I have attached the letter and our denial along with my communications with Philip. Also, a map of our location showing our property that has been recently annexed into the City of Medford with a large residential development and school in the planning. We don't feel this industrial application would be appropriate for our location for many reasons. And you have a much better route with the Foot hills route. Our route would impact major residential development along the way and would be much more expensive and difficult to build with the highway and Bi Pass roads you would have to cross. The other route if you visited the site would be so much easier and already has large KV lines in adequate right ways. Also the line would be located in rural areas the entire way with our route being more urban. Also, the City of Medford is under construction in the south end of Foothills to Hwy 140 as I write as a bypass. I am hoping your findings will see this but please keep me in the loop at Mike Malepsy 36 Meadow Lane Shady Cove Ore 97539 for any correspondence with my email and cell attached as well. Thank You Mike

Mike Malepsy
Principal Broker/Owner

Windermere Trails End Real Estate, LLC
21675 Highway 62
PO Box 1004
Shady Cove, OR 97539

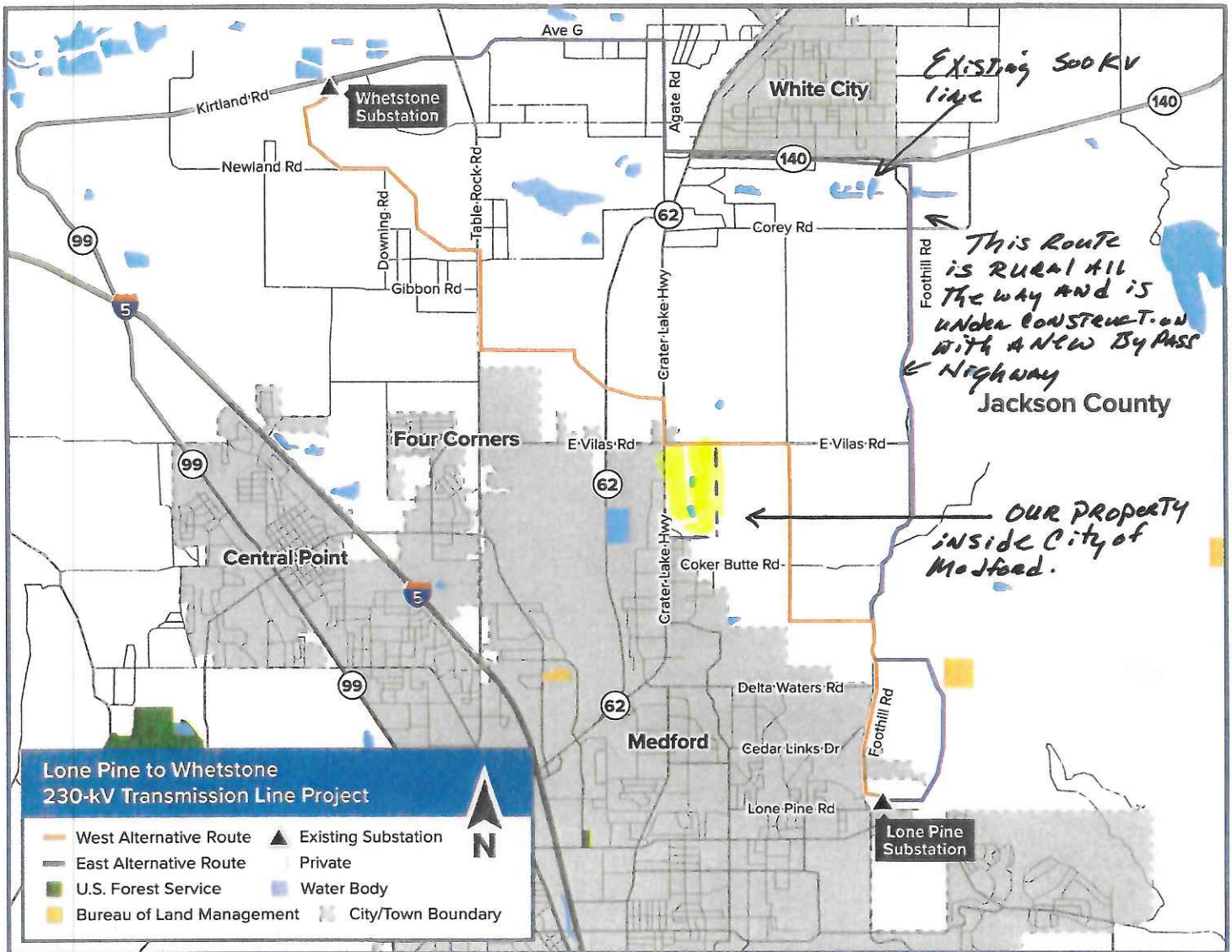
Office: (541) 878-2249
Cellular: (541) 840-1424
Toll Free: 888-859-3023
Fax: (541) 878-2699

www.windermere trailsend.com
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<http://foundation.windermere.com>
<http://blog.windermere.com>

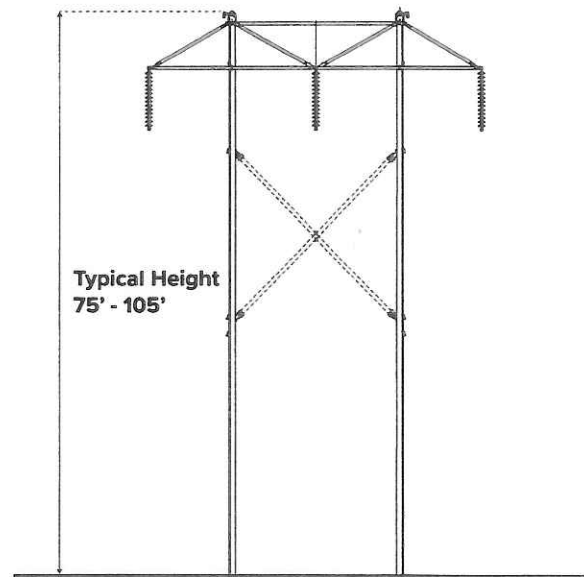
Click here for the [Agency Disclosure Pamphlet](#)
Buyers check out the [Oregon Property Buyer Advisory](#)
Sellers check out the [Oregon Property Seller Advisory](#)

Licensed in the State of Oregon



Typical Structure Type

- H-frame wood pole – the same as existing 230-kV transmission line structures in the area
- Structures height: 75 to 105 feet depending on terrain
- Distance between structures: 600 to 700 feet
- Right-of-way width: up to 125 feet
- The type of structure used depends on engineering requirements and existing conditions such as terrain



New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Mon 6/12/2023 11:46 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Jeanne Grazioli-Krieg

Email: llkrieg@yahoo.com

Zip Code: 97504

Siting Project Phase: NOI

Comment Summary:

Please Click on the following link to view the full **Comment Details**

Comment Summary

—

Comment Date

6/12/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

—

Page Number(s)

—

Council Standards

—

Comment

Dear Oregon Department of Energy,

I hope this email finds you well. I am writing to express my deep concern regarding the proposed routes for the construction of a redundant electrical grid between the Lone Pine substation and the Whetstone substation in White City, Oregon. As a resident and member of the community, I strongly believe that there are alternative options that should be explored to minimize the adverse impact on our neighborhoods and property values.

I understand the necessity for a redundant electrical grid to ensure the stability and reliability of our power supply. However, it is disheartening to learn that both the East and West routes being considered involve the erection of large towers supporting 230-kv power lines, which will inevitably invade our communities and disrupt the scenic beauty that we cherish. Furthermore, the potential negative impact on property values cannot be overlooked, as the presence of such power lines can deter prospective buyers and harm the overall desirability of our neighborhoods.

When I inquired about the possibility of following a similar path to the existing grid, I was informed that the redundant lines could not be situated too close to the current infrastructure. However, I find it perplexing that the proposed East route would eventually intersect with the existing lines at Highway 140, effectively following the same path to their destination at Whetstone. This raises the question of why an alternative path, mirroring the existing lines, is not being given due consideration. By utilizing a similar trajectory, the impact on our communities could be significantly minimized, respecting our collective well-being and property values.

I kindly request that you do not issue a permit to PacifiCorp for either proposed route, and reconsider the proposed routes taking into account the concerns and interests of the affected communities. It is crucial to explore alternative paths that would not intrude upon our neighborhoods, ensuring the preservation of our community's character and the tranquility that we hold dear. Additionally, the

potential negative impact on property values should be a key consideration in this decision-making process.

I understand that achieving the delicate balance between infrastructure development and community well-being is a complex task. However, I firmly believe that with open dialogue and collaboration between the utility company and the affected residents, we can find a solution that satisfies both the necessity for a redundant electrical grid and the preservation of our communities.

I respectfully request an opportunity to engage in further discussions to explore alternative routes and potential compromises that address the concerns raised by the affected communities. Your willingness to consider these alternative options would demonstrate a commitment to serving the best interests of the community you serve.

Thank you for your attention to this matter. I eagerly await your response and the opportunity to contribute constructively to the decision-making process.

Sincerely,

Les Krieg
Jeanne Grazioli-Krieg
2450 N. Foothill Rd.
Medford, Oregon 97504
llkrieg@yahoo.com
541-784-8181

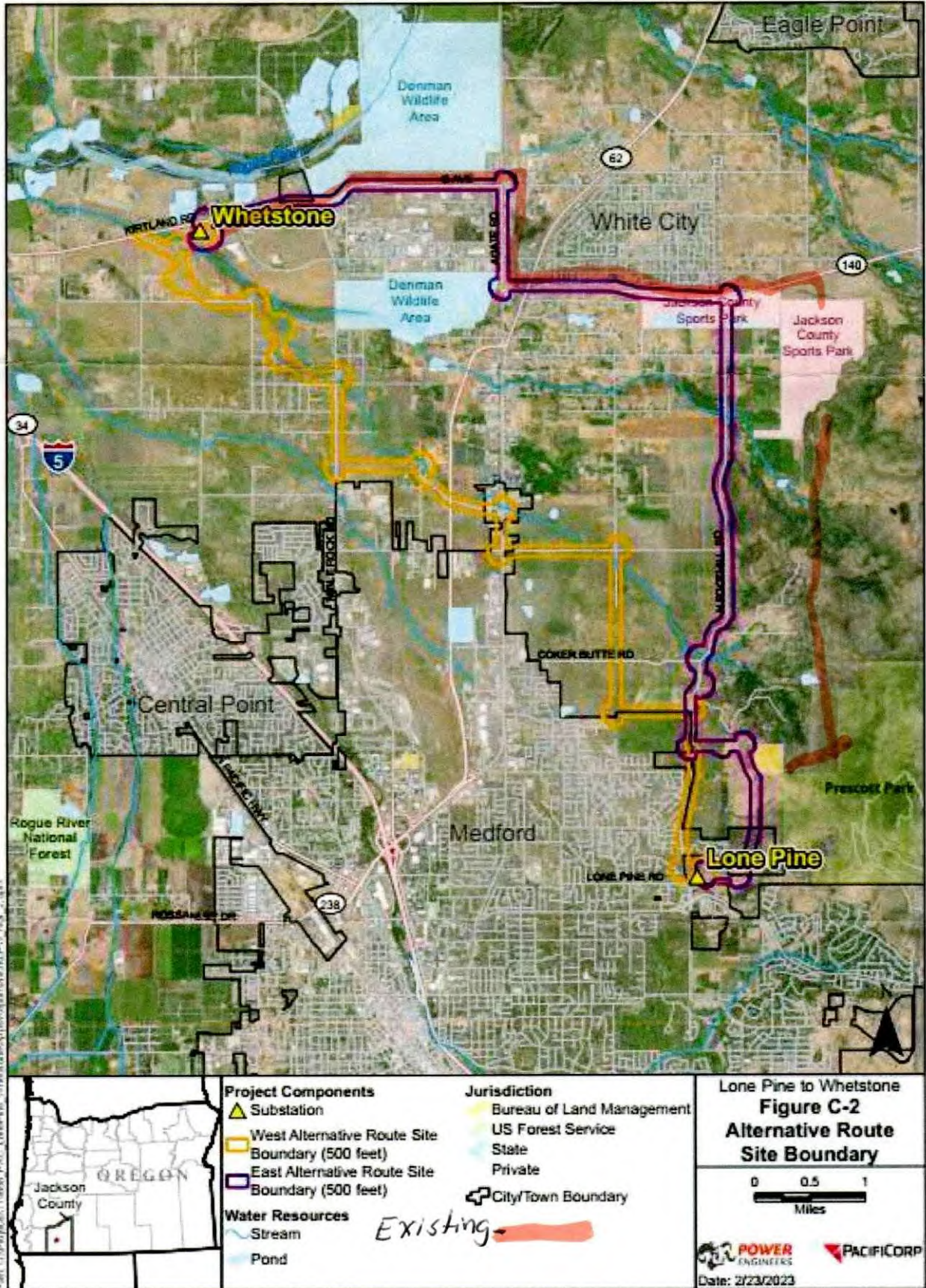
Attachments

about an hour ago

SYSTEM

img20230612_11413928.pdf (309.21 KB)

ATTACHMENT: LOCATION OF 2 PROPOSED ALTERNATIVE ROUTES FOR TRANSMISSION LINE



New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Mon 6/19/2023 12:18 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Peter Burch

Email: peterjayburch@gmail.com

Zip Code: 97504

Siting Project Phase: *NOI*

Comment Summary:

East route should be preferred

Please Click on the following link to view the full **Comment Details**

Comment Summary

East route should be preferred

From

Peter Burch

From email address

peterjayburch@gmail.com

Comment Date

6/19/2023

Notice of Intent Exhibit

Exhibit F - Adjacent Property Owners

Council Standards

Page Number(s)

Detailed Description

I live next to McLoughlin Dr and am concerned about the proposed western route for the high voltage line. The line would extend right next to occupied houses and a street where kids are frequently outside playing. This is both a concern during construction and after as it would obstruct an otherwise beautiful view and the towers would be more likely to be disturbed due to the activeness of the area. This proposed route also goes right next to the elementary school. These lines can sometimes cause an irritable background noise and would be better suited on a more rural road like Foothill. If you visit both sites it is very clear that the western route would be out of place and the eastern route would be a much better esthetic and functional fit. Foothill is a low foot traffic area.

Siting Project Phase

NOI

source

portal

Timeline

Search timeline

Enter a note...

Modified on: 6/19/2023 7:18 PM

Sent Email

Email from:ODOE ITSERVICEClosed

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Organization: Submitted by: Peter Burch Email: peterjayburch@gmail.com Zip Code: 97504 Siting
Project Phase: NOI Comment Summary: East route should be preferred Please Click on the following
link to view the full Comment Details

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Tue 6/27/2023 2:53 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Emily Skene

Email: emilyskene@gmail.com

Zip Code: 97504

Siting Project Phase: *NOI*

Comment Summary:

I oppose the proposed Eastern Route for the Lone pine to whetstone transmission line.

Please Click on the following link to view the full [Comment Details](#)

Comment Summary 2023-54

I oppose the proposed Eastern Route for the Lone pine to whetstone transmission line.

Comment Date

6/27/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

—

Page Number(s)

—

Council Standards

—

Comment

I oppose the proposed Eastern Route of the transmission line because it is a wildfire risk, will negatively impact the view from my property, and decrease my property value.

Transmission lines have been the source of deadly wildfires and should be kept away from WUI (wildland urban interface areas) and hillsides since wildfire spreads uphill. The Roxy Ann Heights neighborhood located above and east of the proposed Eastern route has already had a wildfire.

The height of the transmission lines will also impact the view, which is one of the main advantages of the property.

Furthermore, proximity to transmission lines lowers property values.

Attachments

No files were attached.

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Wed 6/28/2023 8:56 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: John Higley

Email: john@higleydesign.com

Zip Code:

Siting Project Phase: *NOI*

Comment Summary:

See attachment

Please Click on the following link to view the full **Comment Details**

June 28, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

I'm writing to oppose Pacific Power's East Alternative Route for the Lone Pine to Whetstone 230 kV Transmission Line.

Foothill Road in Jackson County, Oregon, should be a scenic byway. The Foothill Road stretch from Delta Waters Road to Highway 140 offer large stretches of beautiful, uninterrupted views of the Rogue Valley, farm land and nature. When the Foothill Road Improvement project is complete, it will be a stunning drive for local commuters and tourists alike who are coming off Highway 140.

Pacific Power wants to put up high voltage transmission lines all along this amazing roadway! PLEASE drive this road and consider the impact it will have on future generations for years to come. I urge you to preserve the natural beauty of Foothill Road and the east valley, and oppose the East Alternative Route.

Are there government agencies to protect our natural beauty and promote tourism?
If so, have they been made aware of this proposal by Pacific Power?

Sincerely,

John Higley
4261 N. Foothill Road
Medford, OR 97504

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Thu 6/29/2023 1:35 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: John Higley

Email: john@higleydesign.com

Zip Code:

Siting Project Phase: *NOI*

Comment Summary:

See attachment

Please Click on the following link to view the full **Comment Details**

June 29, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

I live at 4261 N Foothill Road, on the Pacific Power's proposed East Alternative Route, adjacent to Swanson Creek at Coker Butte Road.

The unique natural biodiversity of this region is staggering. We have migrating tree swallows, presumably from Mexico, nesting right under the proposed transmission line. The bird and animal diversity here is nothing like I've ever seen.

In one year since purchasing this property, here's a short list of animals and birds I have seen on my property.

Elk, deer, coyote, fox, possum, raccoon, skunk, bob cat, gopher snake, swallow tail butterfly, monarch butterfly, bald eagle, golden eagle, sharp shinned hawk, red tailed hawk, rough legged hawk, western screech owl, pigmy owl, great blue heron, towhee, titmouse, gold finch, kingbird, tree swallow, junco, dove, flicker, vireos, chickadees, nuthatch, wren, robbin, thrushes, warbler, flycatcher, bluebird, jay, sapsucker, canada goose, etc., etc.

This is just a small sample of what is here. I have just invited the Klamath Bird Observatory to take a look. You are welcome to join them.

I would suggest environmental groups take a look at the Swanson Creek region, including Arletta Pacholke's beautiful natural field to the north. This region of the valley should be a nature preserve!

Please do not ruin this amazing region with high voltage overhead transmission lines!
Say NO to the East Alternative Route.

Sincerely,

John Higley

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Thu 6/29/2023 7:31 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: AMY JENSEN

Email: amyjensennp@gmail.com

Zip Code: 97504

Siting Project Phase: NOI

Comment Summary:

We own a home in Manzanita Heights Drive and are opposed to the eastern route as it will impact both our views, property value and increase our fire risk in this area which is already very risky with a single lane narrow road with hair pin turns leading up to 17 homes.

Please Click on the following link to view the full Comment Details

Comment Summary-Comment Porta 2023-56 Amy Jensen

We own a home in Manzanita Heights Drive and are opposed to the eastern route as it will impact both our views, property value and increase our fire risk in this area which is already very risky with a single lane narrow road with hair pin turns leading up to 17 homes.

Comment Date

6/29/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit D - Transmission or Pipeline

Page Number(s)

—

Council Standards

—

Comment

We own a home in Manzanita Heights Drive and are opposed to the eastern route as it will impact both our views, property value and increase our fire risk in this area which is already very risky with a single lane narrow road with hair pin turns leading up to 17 homes. [copied from comment summary - no comment in comment box-no attachments]

Attachments

No files were attached.

john higleydesign.com <john@higleydesign.com>

SLOAN Kathleen * ODOE

Hi Kathleen,

Here is another comment letter regarding the Lone Pine to Whetstone Transmission Line. Also attached is a pdf. Can you please upload this comment?

Thank you,

John Higley

541-778-1721

July 6, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

Have you considered all the views and property devaluation of the expensive homes up Dry Creek Road, Dodson Road and all along the proposed East Alternative Route? This area currently has unobstructed views. Have these residence all been notified?

People live on this side of the valley for the views and natural beauty. Has an underground route been considered?

How about going where no one lives, up toward Roxy Ann and out of site? Why isn't that an option?

Please say NO to the East Alternative Route. Or any route for that matter that involves personal residence.

I think Pacific Power can do better.

Sincerely,

John Higley

July 6, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

Have you considered all the views and property devaluation of the expensive homes up Dry Creek Road, Dodson Road and all along the proposed East Alternative Route? This area currently has unobstructed views. Have these residence all been notified?

People live on this side of the valley for the views and natural beauty. Has an underground route been considered?

How about going where no one lives, up toward Roxy Ann and out of site? Why isn't that an option?

Please say NO to the East Alternative Route. Or any route for that matter that involves personal residence.

I think Pacific Power can do better.

Sincerely,

John Higley

July 6, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

I have lived in this region for 20 years and have rarely experienced power outages. Our grid seems very reliable. In the June 7 Medford meeting, John Aniello, Pacific Powers Project Manager, said there is an immediate need for a redundant transmission line. Is this really the case? Is it really necessary to impact this much beauty, livelihoods and property values for ugly, buzzing, 100 foot, redundant transmission lines?

Say NO to the East Alternative Route. Say NO to the West Alternative Route.

I think Pacific Power can do better.

Sincerely,

John Higley

Comment Summary

The eastern routing option for this project will devalue properties in the RAHHA neighborhood. RAHHA neighborhood consists of many homes/lots valued into multiple millions of dollars. Currently there is a large project on Foothills, seems to be advantageous to incorporate this project into that project.

Comment Date

7/6/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit F - Adjacent Property Owners

Page Number(s)

Page 22-23 C2 purple route

Council Standards

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Comment

I James Davis vice president of the Roxy Ann Homeowners Association RAHHA oppose the east route option for Lone Pine to Whetstone Transmission Line. This route will be in direct view of multiple lots within the RAHHA. RAHHA contains multiple homes and lots valued at millions of dollars. The owners of these homes value their view of the valley, and most importantly their property value.

Attachments

No files were attached.

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Fri 7/7/2023 11:09 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Marcy Black

Email: marcy@charter.net

Zip Code: 97502

Siting Project Phase: *NOI*

Comment Summary:

The proposed easterly route is the least disruptive and the best route.

Please Click on the following link to view the full Comment Details

Comment Summary- 2023-63

The proposed easterly route is the least disruptive and the best route.

From

Marcy Black

From email address

marcya@charter.net

Comment Date

7/8/2023* received via email on 7/7/2023 11:09 PM – On time

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Notice of Intent Exhibit

Council Standards

Page Number(s)

Detailed Description

My husband and I have lived at 5909 Peace Lane for 41 years. We were drawn to the location by its quiet, rural residential tax lots and great views of Mt. McLoughlin.

Our property values have already been negatively impacted by construction of the Crater Lake Hwy Bypass which brought significant road noise closer into our neighborhood. Pacificorp's planned westerly route will create another negative impact for our neighborhood, and the property owners will take another financial hit.

The proposed easterly route is the least disruptive and the best route.

Siting Project Phase

NOI

source

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE <ODOE.ITService@oregon.gov>

Fri 7/7/2023 12:09 PM

To:SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization: Brophy Schmor LLP

Submitted by: Mark Tuai

Email: mtuai@brophylegal.com

Zip Code: 97501

Siting Project Phase: *NOI*

Comment Summary:

Comment In Support of Eastern Route Connecting Lone Pine and Whetstone Substations

Please Click on the following link to view the full [Comment Details](#)

Comment In Support of Eastern Route Connecting Lone Pine and Whetstone Substations

The Eastern Route connecting the Lone Pine and Whetstone substations is the preferred Route when considering impacts on the public, public resources, recreation opportunities, and wildlife impact.

The proposed Western Route cuts through high density residential neighborhoods and poses a significant disturbance and public nuisance to the surrounding communities. Pursuant to OAR 345-022-0110, the reviewing Council cannot issue a site certificate if the Council finds that the proposed transmission lines would have a significant impact on housing, police and fire protection, and schools.

The easements that the Western Route would require are staggering and would have a substantial impact on future development of housing in the surrounding area. The fire risk posed by stretching a transmission line through such a high-density population area such as West Medford is extreme and incredibly negligent. Additionally, there are approximately a dozen public schools that would be impacted by the stretching lines across the Western Route.

Quite clearly, the opposite is true of the Eastern Route. The Eastern Route cuts through areas that are predominantly zoned Exclusive Farm Use. The number of private properties impacted is negligible when compared to the impacts created by the Western Route. Importantly, the easements involved would have a much smaller impact on future development in the area. It should also be noted that future development along the Eastern Route is unlikely given current zoning regulations. The fire risks involved are much lower considering the low population density and lack of structures. Also, very few to no public schools would be affected by the Eastern Route.

The Western Route's impact on recreational opportunities is also significant because public parks and golf courses are dotted along the Route. The opportunities for the public to enjoy these spaces free of the visual disturbances created would be seriously jeopardized. Finally, the migratory patterns of wildlife, specifically, birds of prey, whose populations have already been disrupted by development along the Western Route, would be further affected.

New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

ODOE ITService * ODOE

Fri 7/7/2023 12:05 PM

To:SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Organization:

Submitted by: Patricia Smullin

Email: mtuai@brophylegal.com

Zip Code: 97504

Siting Project Phase: *NOI*

Comment Summary:

Comment in Support of Eastern Route Connecting Lone Pine and Whetstone Substations

Please Click on the following link to view the full Comment Details

Comment Summary 2023-61

Comment in Support of Eastern Route Connecting Lone Pine and Whetstone Substations

Comment Date

7/7/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

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Page Number(s)

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Council Standards

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Comment

Comment In Support of Eastern Route Connecting Lone Pine and Whetstone Substations

The Eastern Route connecting the Lone Pine and Whetstone substations is the preferred Route when considering impacts on the public, public resources, recreation opportunities, and wildlife impact.

The proposed Western Route cuts through high density residential neighborhoods and poses a significant disturbance and public nuisance to the surrounding communities. Pursuant to OAR 345-022-0110, the reviewing Council cannot issue a site certificate if the Council finds that the proposed transmission lines would have a significant impact on housing, police and fire protection, and schools.

The easements that the Western Route would require are staggering and would have a substantial impact on future development of housing in the surrounding area. The fire risk posed by stretching a transmission line through such a high-density population area such as West Medford is extreme and incredibly negligent. Additionally, there are approximately a dozen public schools that would be impacted by the stretching transmission lines across the Western Route.

Quite clearly, the opposite is true of the Eastern Route. The Eastern Route cuts through areas that are predominantly zoned Exclusive Farm Use. The number of private properties impacted is negligible when compared to the impacts created by the Western Route. Importantly, the easements involved would have a much smaller impact on future development in the area. It should also be noted that future development along the Eastern Route is unlikely given current zoning regulations. The fire risks involved are much lower considering the low population density and lack of structures. Also, very few to no public schools would be affected by the Eastern Route.

The Western Route's impact on recreational opportunities is also significant because public parks and golf courses are dotted the path of the proposed transmission lines. The opportunities for the public to enjoy these spaces free of the visual disturbances would be seriously jeopardized. Finally, the migratory patterns of wildlife, specifically, birds of prey, whose populations have already been disrupted by development along the Western Route, would be further affected.

Attachments

No files were attached.

July 7, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

I attended the public meeting in Medford on June 7.

John Aniello, Project Manager for Pacific Power, was asked about lowered property values as a result of power lines being installed on private property. He stated that he get's asked this question at every presentation. He said his studies showed that there is no property devaluation, it just might take a little longer to sell your house. When pressed by a local resident about his sources, he said he read an article years ago and didn't know the publication or authors name. Is this the kind of answer we deserve from a representative of a public utility company?

John Aniello was also asked about EMF's. He said he would let his children play under high voltage transmission lines and that EMFs are no concern. Again, he had no sources.

Please say NO to Pacific Powers Lone Pine to Whetstone 230 kV Transmission Line.

July 7, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

In the June 7 meeting in Medford, an ODE representative stated that the entire process for this type of project normally takes 5-7 years from the Notice of Intent. In a following presentation John Aniello, Project Manager for Pacific Power, said he wants the project to be completed in two years. Is Pacific Power trying to rush this project through without the proper time needed for studies, etc? Why? Are they trying to establish an electrical easement all the way up Foothill Road, for future projects?

Please protect the beauty of Foothill Road. Please say NO to Pacific Powers Lone Pine to Whetstone 230 kV Transmission Line.

SLOAN Kathleen * ODOE

From: john higleydesign.com <john@higleydesign.com>
Sent: Friday, July 7, 2023 2:06 PM
To: SLOAN Kathleen * ODOE
Subject: Re: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Kathleen,

We met at the meeting on June 7. I appreciated your presentation and good disposition. While giving your presentation you made eye contact with me almost the entire time. Maybe it's just how you present, by finding a spot in the audience, but I thought it was interesting.

I am horrified by the possibility of losing my views and having a home no one wants to live in on N. Foothill Road. We've only owned the home for a little over a year, which I have been remodeling. It's our life savings. I'm horrified by this proposal by Pacific Power. If there is anything else I can do to prevent this from happening, please let me know. I think an underground solution might be a good idea, or going up in the hills where no one lives.

Please see my last comment below. Can you please post it?

Thanks again for your help.

John Higley
541-778-1721

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

My wife drives N. Foothill Road to work every day in White City. She absolutely loves the drive and has brought it to my attention numerous times. There are large stretches of this beautiful roadway without any power lines or obstructions. Just views of the valley, farms and nature. We all need this beauty in our lives. We don't always recognize it, but we do. Please protect N. Foothill Road.

From: john higleydesign.com <john@higleydesign.com>
Sent: Friday, July 7, 2023 7:52 AM
To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Subject: Re: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

...and here is one more, Kathleen. Thanks for your help and for posting this to the online portal.

John Higley

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

In the June 7 meeting in Medford, an ODE representative stated that the entire process for this type of project normally takes 5-7 years from the Notice of Intent. In a following presentation John Aniello, Project Manager for Pacific Power, said he wants the project to be completed in two years. Is Pacific Power trying to rush this project through without the proper time needed for studies, etc? Why? Are they trying to establish an electrical easement all the way up Foothill Road, for future projects?

Please protect the beauty of Foothill Road. Please say NO to Pacific Powers Lone Pine to Whetstone 230 kV Transmission Line.

From: john higleydesign.com <john@higleydesign.com>

Sent: Friday, July 7, 2023 7:46 AM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Subject: Re: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Hi Kathleen,

Here is a comment/letter for the Lone Pine to Whetstone Transmission Line. Can you please post to the online portal?

Thanks,

John Higley

July 7, 2023

Attn: Oregon Department of Energy

Re: Lone Pine to Whetstone 230 kV Transmission Line.

I attended the public meeting in Medford on June 7.

John Aniello, Project Manager for Pacific Power, was asked about lowered property values as a result of power lines being installed on private property. He stated that he get's asked this question at every presentation. He said his studies showed that there is no property devaluation, it just might take a little longer to sell your house. When pressed by a local resident about his sources, he said he read an article years ago and didn't

know the publication or authors name. Is this the kind of answer we deserve from a representative of a public utility company?

John Aniello was also asked about EMF's. He said he would let his children play under high voltage transmission lines and that EMFs are no concern. Again, he had no sources.

Please say NO to Pacific Powers Lone Pine to Whetstone 230 kV Transmission Line.

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Sent: Thursday, June 29, 2023 1:50 PM
To: john higleydesign.com <john@higleydesign.com>
Subject: Fw: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

You comment has been posted

From: ODOE ITService * ODOE <ODOE.ITService@oregon.gov>
Sent: Thursday, June 29, 2023 1:35 PM
To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Subject: New Public Comment submitted for project : Lone Pine to Whetstone Transmission Line

Organization:

Submitted by: John Higley

Email: john@higleydesign.com

Zip Code:

Siting Project Phase: NOI

Comment Summary:

See attachment

Please Click on the following link to view the full [Comment Details](#)

Comment Summary

I am opposed to the easterly route of the Lone Pine to whetstone transmission line. From the map, it appears to be a longer route. It would likely diminish our property value and adversely affect our view. There may be concerns about fires. There are also health concerns. It should follow Foothills as closely as possible.

Comment Date

7/7/2023

source

portal

Siting Project Phase

NOI

Comment Details

Notice of Intent Exhibit

Exhibit D - Transmission or Pipeline

Page Number(s)

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Council Standards

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Comment

Attachments

No files were attached.

**PACIFICORP LONE PINE TO WHETSTONE 230KV TRANSMISSION LINE PROJECT
COMMENTS RECEIVED AT GIS STATION DURING ODEO PUBLIC INFORMATION MEETING
June 7, 2023**

Name	Comment
Paul Cline	The Cline's came in to see if there would be poles adjacent to their property. It is too early to know for sure, but currently there is not anything directly adjacent to their property. They are also concerned about the fire risk associated with the right-of-way (ROW) since the ROW has not been as well maintained as they would like to see. It is a fire danger currently. (Three fires started by lightning yesterday.) They don't want the line to be louder either.
John W. Kesterson	The Kesterson's have a Stage 4 cancer patient in their home, and they are concerned about the effects of the electric and magnetic fields (EMF) from the transmission line on the health of the patient. They are concerned with property value. They have lived in the house for 30 years and this line will force them to move.
Wendy C. Vaughn	Wendy came in to state her objection to the project. She previously provided comments to Pacific Power.
Jeanne Graziolo-Krieg	Les prefers the eastern route. Currently he has a structure in his front yard. He will submit additional comments.
Coker Butte Development LLC	This property is going to be developed, there is a Medford middle school and residential property planned for this parcel (planned for 2025). They already have an existing transmission line across the edge of the property. This is an urban area. The eastern route is more rural. Mike Malepsy was in commenting.
Rentals LLC	Mark came in to comment and see how alternatives might affect the property. Mark represents the owner.
Adelia A. Coffman	Adelia came in see how the project would affect her property. She does not want the line across her property. She built her home to shield against EMF but doesn't feel like she could against 230 kV. She doesn't want to see the property devalued. She is part of all of these properties.
Bryan Cham	The Cham's came into the see how the project would affect their property. They asked why the corner structure couldn't be on the Medford City property. The are concerned about the affects to property values. They asked about the restrictions within the ROW and that that might affect the building of a barn for farm animals. The point represents a well they would not want affected.
James R. and Penny Oberlander	James and Penny came in. The have a 69 kV on their property already. If the alternative is on the other side of the road, they are ok with that alternative.
DB Land Development LLC	This HP Land parcel was just purchased by DB Land Development LLC. Dave and Becky Ricks were in commenting. They are ok with the alternative across the road from them.
John A. and Kimberly S. Higley	Kimberly and John came in to see how their property is affected by the alternative. The eastern alternative crossed the edge of their property along Foothills Road.
Bartholomew Family Trust	Wilma and John came in to see how the alternative would affect their property. While the current alignment does not directly cross their property, the easement does. The house is marked. Their view is to the west and the alternative would ruin their view and greatly devalue their property.
Michael Wayne Jantzer, Trustee.	Dave Schober, PacifiCorp, talked with the couple that owns this property. They have run two 16-inch water lines to this property. They are planning on subdividing the property.
Brent F. and Cindy K. Conner	Cindy was in commenting. The house is marked. Her husband fly's small airplanes. There are two runways on the property, marked. They are not Federal Aviation Administration (FAA) registered airstrips. She is concerned about the property value changes. They have concerns about the high irregular winds that regularly cause damage and how those might affect the transmission line. Dave Schober, PacifiCorp, explained about the conductor wires and blowout and how that reduces wildfire risk. Cindy's kitchen window view also would be affected (east and south). On this property and neighboring properties there is an elk herd year-round.

Lone Pine to Whetstone 230 kV Transmission Line

Project Order Attachment 2:

Reviewing Agency Public Comment Index and Comments Received on Notice of Intent

LPWNOI Attachment 2: Reviewing Agency Comment Index

Reviewing Agency	Commenter Name	Commenter Title	Date of Comment
Department of Land Conservation and Development (DLCD)	Hilary Foote	Farm/Forest Specialist, Community Services Division	6/27/2023
Oregon Department of Agriculture (ODA)	Jordan Brown	Lead Conservation Biologist, Native Plant Program	7/5/2023
Department of Geology and Mineral Industries (DOGAMI)	Jason McClaughry	Manager, Geological Surveys & Services Program	7/10/2023
Oregon Department of Fish and Wildlife (ODFW)	Matthew Vargas	Rouge District Wildlife Biologist	7/12/2023
Oregon Department of State Lands	Matthew Unitis	Jurisdiction Coordinator, Aquatic Resources Program	8/14/2023

RE: Request for a DLCD-ODOE coordination call on Lone Pine to Whetstone Transmission Line Notice of Intent

FOOTE Hilary * DLCD

Tue 6/27/2023 2:56 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>; JININGS Jon * DLCD <Jon.JININGS@dlcd.oregon.gov>; ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Kathleen,

This is to follow up on our conversation yesterday about requirements for transmission line siting in resource zones.

EFU zones:

ORS 215.283(1)(c) authorizes utility facilities needed for public service to be located in exclusive farm use zones including transmission lines necessary for public service. ORS 215.283(1)(c)(B) references the definition of 'associated transmission lines' at ORS 469.300(3): "Associated transmission lines means new transmission lines constructed to connect an energy facility to the first point of junction of such transmission line or lines with either a power distribution system or an interconnected primary transmission system or both or to the Northwest Power Grid". We would expect the proposed line to meet that definition.

ORS 215.274-276 contains additional standards specific to transmission line siting. Those standards are clarified in our agency rules at OAR 660-033-0130(16)(b).

Unless the line is co-located with an existing transmission line or is entirely parallel and adjacent to an existing transmission corridor or within an existing ROW for some other linear facility, there will need to be a farmland mapping exercise provided as a part of the application identifying high-value farmland as defined in ORS 195.300 and arable land. As we discussed, the definition for high-value farmland at ORS 195.300 is a newer definition that applies to newer or more recently updated uses like solar siting and has more components to it than the older, soils-only definition. I am more than happy to assist in explaining that mapping exercise. Additional findings are required when the route impacts high-value or arable farmlands.

Unless the line is co-located with an existing transmission line or is entirely parallel and adjacent to an existing transmission corridor or within an existing ROW for some other linear facility, there is a requirement that the applicant mitigate and minimize potential impacts of the associated transmission line 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 farmland. Addressing this requirement would entail 1) identification of specific farm uses and practices occurring in the surrounding lands, 2) exploration and discussion of the potential impacts a high voltage transmission line might have on those farm practices, and 3) identification of and commitment to mitigating those potential impacts so that they are avoided or become insignificant.

Forest zones:

Jackson County does have the Forest Open Space zone listed as a resource zone implementing Goal 4. Our agency rules at OAR 660-006-0025(4) (q) identify "new electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210" as a use permitted in Forest zones subject to satisfaction of the farm and forest impacts test at OAR 660-006-0025(5). That test is designed to ensure that the transmission line is compatible with forest operations and agriculture and to conserve values found on forest lands. It requires a demonstration that the use won't force a significant change in, or significantly increase the cost of, accepted farming or forest practices in the surrounding area. That would require a study similar to the one discussed above. Uses in forest zones also require a demonstration that the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

Jon – please feel free to add anything here.

We will be happy to review the more detailed application materials when provided, Let me know if there are any questions!



Hilary Foote

Farm/Forest Specialist | Community Services Division

Oregon Department of Land Conservation and Development

635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540

Cell: 503-881-9249 hilary.foote@dlcd.oregon.gov | www.oregon.gov/LCD

Re: Request for an ODOE-ODA coordination call on Lone Pine to Whetstone Transmission Line Notice of Intent

BROWN Jordan A * ODA

Wed 7/5/2023 1:15 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Cc: DUNNETTE Paul * ODA <Paul.DUNNETTE@oda.oregon.gov>; ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Hello Kate,

Thanks again for sending these files. I was able to take a look at the proposed routes relative to known occurrences of the two listed plants that occur in the area: large-flowered wooly meadowfoam (LIPUGR) and Cook's lomatium (LOCO). Both routes intersect known occurrences, but at this stage it's not possible to tell what level of impact to expect at those intersection areas.

The main area of concern for the western route is from the railroad tracks (near the north terminus) down to and along Newland Rd; after that it seems clear. The eastern route areas of concern are at the intersection of Kirtland Rd and Table Rocks Rd, and along the Lake of the Woods Hwy 140 to the Foothill Rd intersection. The eastern route already contains a fair amount of transmission line infrastructure, so I'm not sure if that'll make any difference in terms of project plans and impacts. Based on this first review, it looks like the eastern route has the potential to impact more suitable habitat for the two listed plant species.

Another recently listed plant that has the potential to occur in the project area is Oregon fairy poppy, *Meconella oregana*, although it seems unlikely. If you would like, we can look into whether there are state candidates for listing that occur in the project area (other than southern Oregon buttercup, *Ranunculus astrooreganus*), because (although not protected under state law) they should be avoided whenever possible.

I'm curious to see what surveys show for the plants, fairy shrimp, and wetlands. Also, I've reached out to my USFWS contact (Sam Friedman) to let them know about the project and the early stage we're at since they've worked on the Rogue Valley vernal pool species for many years.

Let me know if you need any other info or insight from our review.

Thanks!

Jordan Brown, Program Lead Conservation Biologist
Oregon Department of Agriculture – Native Plant Conservation
635 Capitol St NE, Salem, OR 97301-2532
PH: 541.737.2346 | CELL: 541.224.2245 | WEB: Oregon.gov/ODA
Pronouns: he, him, his

*Please note my email address has changed to jordan.a.brown@oda.oregon.gov

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Date: Friday, June 30, 2023 at 12:15 PM

To: BROWN Jordan A * ODA <jordan.a.brown@oda.oregon.gov>

Cc: DUNNETTE Paul * ODA <Paul.DUNNETTE@oda.oregon.gov>, ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Subject: Re: Request for an ODOE-ODA coordination call on Lone Pine to Whetstone Transmission Line Notice of Intent

Thanks Jordan,

As promised here is the GIS data from PacifiCorp for the project.

We can follow up in the next week or 2 after you have a chance to review.

Kate

From: BROWN Jordan A * ODA <jordan.a.brown@oda.oregon.gov>
Sent: Friday, June 30, 2023 11:31 AM
To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Cc: DUNNETTE Paul * ODA <Paul.DUNNETTE@oda.oregon.gov>
Subject: Re: Request for an ODOE-ODA coordination call on Lone Pine to Whetstone Transmission Line Notice of Intent

Kate,

Thanks for the call today. If you would email us the proposed boundaries of the two transmission line routes through the Rogue Valley, we can take a look at where they might intersect known populations of Cook's lomatium and large flowered wooly meadowfoam. I think Paul I should have time to fit this in next week and I'll plan to write up some comments after that review.

Thanks!

Jordan Brown, Program Lead Conservation Biologist
Oregon Department of Agriculture – Native Plant Conservation
635 Capitol St NE, Salem, OR 97301-2532
PH: 541.737.2346 | CELL: 541.224.2245 | WEB: Oregon.gov/ODA
Pronouns: he, him, his

*Please note my email address has changed to jordan.a.brown@oda.oregon.gov

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Date: Monday, June 12, 2023 at 2:42 PM
To: BROWN Jordan A * ODA <Jordan.A.BROWN@oda.oregon.gov>
Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>
Subject: Request for an ODOE-ODA coordination call on Lone Pine to Whetstone Transmission Line Notice of Intent

Hi Jordan ,

I wanted to check with you on who we should include in our ODA coordination on the Lone Pine to Whetstone 230 kV Transmission line Notice of Intent to apply for an EFSC site certificate.

Can you let me know some possible dates/times over the next 2 weeks for a call?

I am also attaching the more formal request I sent out last month and a copy of the public informational meeting presentation from last week.

If you need any more information on this, prior to a coordination call, the NOI is available on the project webpage (too big to email) [State of Oregon: Facilities - Lone Pine to Whetstone 230 kV Transmission Line](#) please let me know.

Thanks!



Kathleen Sloan
Senior Siting Analyst
550 Capitol St. NE | Salem, OR
97301
P: 971-701-4913



Stay connected!

[State of Oregon: Facilities - Energy Facility Siting](#)



Oregon

Tina Kotek, Governor

Department of Geology and Mineral Industries

Administrative Offices
800 NE Oregon St., Suite 965
Portland, OR 97232-2162
(971) 673-1555
Fax: (971) 673-1562
www.oregon.gov/dogami

July 10, 2023

Kathleen Sloan
Senior Siting Analyst
550 Capitol St. NE.
Salem, Oregon 97301

RE: Lone Pine to Whetstone 230 kV Transmission line, Notice of Intent (NOI) for an EFSC site certificate Review by the Oregon Department of Geology and Mineral Industries

Dear Kathleen:

We received a copy of the Notice of Intent (NOI) dated April 2023 dated June 27, 2023 to prepare an environmental impact statement for the Lone Pine to Whetstone 230 kV Transmission line in southwestern Oregon. The Department of Geology and Mineral Industries (DOGAMI) issues no permits and should be considered a “commenting agency.” Our interest in the application is primarily focused on public safety considerations related to geologic hazards.

We offer the following additional observations. Specifically, the applicant should provide or at the least propose a thorough geological characterization of the project area and surrounding area and a comprehensive site-specific geotechnical assessment. This assessment should include, but not be limited to seismic, liquefaction, slope stability (including lateral spreading) along the length of the project with supporting evidence to explain that the project can be appropriately constructed and operated. This is particularly true given the variability in the geologic foundation along the length of the project and the relatively high risk to the public because of the

Detailed lidar-based geologic mapping by DOGAMI is available for the entire Bear Creek Valley, including the project site. That publication is available for free download at the Agency website - <https://www.oregongeology.org/pubs/ofr/p-O-11-11.htm>

The Oregon Board of Geologist Examiners developed and adopted a document *Guideline for Preparing Engineering Geologic Reports* and we encourage the geotechnical consultant to use this document as a guideline for preparing their report.

(https://www.oregon.gov/osbge/Documents/engineeringgeologicreports_5.2014.pdf)

Based on the potential of geologic hazards at the site, we suggest that the “analysis area” should extend well beyond the site boundaries so that any potential geologic hazards affecting the site are included in the study.

Again, we appreciate the offer review of the NOI with an emphasis on how to develop and operate this facility to ensure ecological continuity and safety.

Please don't hesitate to contact Bill Burns or me if you have further questions or concerns. Sincerely,



Jason McCloughry,
GS&S Program Manager, DOGAMI

Cc: Bill Burns, Landslide Geologist, DOGAMI

Additional Helpful geologic resources for Geotechnical site investigations in Oregon:

USGS Quaternary fault and fold database includes mapped potentially active faults

<https://pubs.usgs.gov/fs/2004/3033/fs-2004-3033.html>

Interactive fault map for the United States

<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412ff>

2008 USGS National Seismic Hazards Mapping, updated 2014

https://earthquake.usgs.gov/cfusion/hazfaults_2014_search/query_main.cfm

2016 USGS Earthquake Hazards Program, National Seismic Hazard Mapping Project; Earthquake Search Database

<https://earthquake.usgs.gov/earthquakes/search/>

2014 OSSC, Updated 2019, with amendments in 2021

<https://www.oregon.gov/bcd/codes-stand/code-adoption/Pages/2019-osscc-adoption.aspx>

DOGAMI's interactive maps are here

<https://www.oregongeology.org/gis/index.htm>

Maps include viewers for all types of hazards (HazVu) including earthquake, flood, landslide, volcano.

<https://www.oregongeology.org/hazvu/index.htm>

Statewide Landslide Information Database for Oregon (SLIDO)

<https://www.oregongeology.org/slido/data.htm>

Geologic Map of Oregon, Oregon Geologic Data Compilation release 7 (OGDC-7)

<https://www.oregongeology.org/geologicmap/index.htm>


Whetstone Transmission Line

VARGAS Mathew T * ODFW

Wed 7/12/2023 3:26 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Cc: DRAKE Francis W * ODFW <Francis.W.DRAKE@odfw.oregon.gov>

 1 attachments (1 MB)

Sensitive_Species_List.pdf;

Hi Kathleen,

Attached is a sensitive species list with highlights indicating the potential species impacted for the area around the Whetstone Transmission line.

Let us know if you have any questions.

Mathew Vargas

Rogue District Wildlife Biologist

Oregon Dept of Fish & Wildlife

1495 E. Gregory Rd, Central Point OR 97502

Office: 541-857-2407

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Oregon Department of Fish and Wildlife

SENSITIVE SPECIES LIST

Frequently Asked Questions

It is Oregon’s policy “to prevent the serious depletion of any indigenous species” (ORS 496.012). The Oregon Administrative Rules (OAR) for threatened and endangered species (OAR 635-100-0080 to 0194) are intended to help implement this policy. In accordance with these rules, species can be classified as “threatened” (any native species likely to become endangered within the foreseeable future throughout any significant part of its range within the state) or “endangered” (any native species determined to be in danger of extinction). However, recovering species when their populations are severely depleted can be difficult and expensive. In addition, designation of such species can be socially and economically divisive.

To provide a positive, proactive approach to species conservation, a “sensitive” species classification was created under Oregon’s Sensitive Species Rule (OAR 635-100-0040). The Sensitive Species List focuses fish and wildlife conservation, management, and research and monitoring activities on species that need conservation attention. It serves as an early warning system for biologists, land managers, policy makers, and the public. It helps to ensure that conservation actions are prioritized, cost-efficient, and effective. Although the intent of the Sensitive Species List is to prevent species from declining to the point of qualifying as threatened or endangered, this list is not used as a “candidate” list for species to be considered for listing on Oregon’s State List of Threatened and Endangered Species (OAR 635-100-0125).

What is a “Sensitive Species”?

"Sensitive" refers to fish and wildlife that are facing one or more threats to their populations and/or habitats. Consistent with OAR 635-100-0040(2), “Sensitive Species” are defined as having small or declining populations, are at-risk, and/or are of management concern. Implementation of appropriate conservation measures to address existing or potential threats may prevent them from declining to the point of qualifying for threatened or endangered status.

For the purpose of the Sensitive Species List, "species" refers to any group (taxon) of fish or wildlife that interbreeds and is substantially reproductively isolated. This interpretation of the term “species” may include species, subspecies, or a geographically-specific population grouping of a species or subspecies.

What factors are considered in designating a “Sensitive Species”?

The factors considered for designating a “Sensitive Species” include: declining population; imminent or active deterioration of primary habitat; populations impacted by [Key Conservation Issues](#) (see the [Oregon Conservation Strategy](#) (2016) for details), disease, predation, contaminants, and other natural or human-caused factors; over-utilization; inadequate existing state or federal programs for management or conservation of species and/or primary habitats; and naturally limited range or rare occurrence.

What does the “Sensitive-Critical” designation mean?

The Sensitive Species List consists of two categories, “Sensitive” and “Sensitive-Critical”. Species or taxa with a “Sensitive-Critical” sub-designation are Sensitive Species of particular conservation

concern. “Sensitive-Critical” species have current or legacy threats that are significantly impacting their abundance, distribution, diversity, and/or habitat. They may decline to the point of qualifying for threatened or endangered status if conservation actions are not taken.

Are species on the list considered “Sensitive” statewide?

Species are designated as “Sensitive” by geographic groupings of population segments or habitats, or by ecoregion, depending on the taxa. Species Management Units (SMU) are the listing unit for fish (Figure 1; per the Native Fish Conservation Policy; OAR 535-007-0504(6)). Ecoregions are the listing unit for amphibians, reptiles, birds, and mammals (Figure 2). Oregon has nine [ecoregions](#), including the: Blue Mountains, Coast Range, Columbia Plateau, East Cascades, Klamath Mountains, Northern Basin and Range, West Cascades, Willamette Valley, and Nearshore. A species may be designated as both “Sensitive” and “Sensitive-Critical” in different SMUs or ecoregions, depending on the regional level of conservation concern.

How is the Sensitive Species List used?

The Oregon Department of Fish and Wildlife (ODFW) uses the Sensitive Species List, in conjunction with the Oregon Conservation Strategy, to promote and guide conservation actions. These actions are also designed to encourage voluntary efforts that will improve species’ status. Once threats to species are identified, conservation opportunities and strategies can be developed. These actions may include:

- monitoring populations to detect either positive or negative changes in populations;
- conducting further research to identify threats and methods to address the threats;
- educating people about what these species need to persist and what actions people can take to assist in species’ conservation.
- partnering with land management agencies to maintain, improve, and restore habitat;
- providing technical expertise, incentives, and recognition to landowners who provide habitat;
- creating cooperative agreements with assurances for private landowners who provide habitat;
- cooperatively incorporating species’ needs into activities that could negatively affect them; and
- bringing together land managers, researchers, and other people to share information.

Although the Sensitive Species List is primarily a non-regulatory tool, it is referenced in the Department’s Chemical Process Mining Consolidated Application and Permit Review Standards (OAR 635 Division 420) and In-Water Blasting Permits (OAR 635 Division 425). Also, the Department’s biologists provide reviews of a variety of proposed land and water management actions based, in part, on Oregon Conservation Strategy Strategy Species and Sensitive Species list priorities. Being included on the Sensitive Species List also provides additional regulatory oversight, landowner incentives, and public records limits with other state agencies, which reference them in their Oregon Administrative Rules. These agencies include the Columbia River Gorge Commission, Department of Energy, Energy Facility Siting Council, Department of Forestry, Department of Geology and Mineral Industries, Department of Land Conservation and Development, Department of State Lands, Parks and Recreation Department, State Marine Board, and Water Resources Department.

How does the Sensitive Species List relate to the Oregon Conservation Strategy?

The [Oregon Conservation Strategy](#) (OCS) is the state’s overarching strategy for conserving fish and wildlife, and provides a shared set of priorities for addressing Oregon’s conservation needs. It serves as the official State Wildlife Action Plan for Oregon and is a requirement of the federal State Wildlife Grant Program. The OCS brings together the best available scientific information, and presents a menu of recommended voluntary actions and tools for all Oregonians to define their own conservation role. The goals of the OCS are to maintain healthy fish and wildlife populations by maintaining and restoring

functioning habitats, preventing declines of at-risk species, and reversing declines in these resources where possible. The [OCS Strategy Species](#) are species of greatest conservation need that include wildlife (i.e., amphibians, birds, mammals, and reptiles), fish, invertebrates, plants, and algae.

The Sensitive Species List is, for the most part, a subset of the species identified in the OCS. Although very similar in purpose, there are some important distinctions between the OCS Strategy Species List and the Sensitive Species List. The OCS Strategy Species List has a broader scope and is not limited by ODFW's management authorities. The Sensitive Species List is limited to fish, amphibians, reptiles, birds, and mammals; it does not include: 1) invertebrates, plants, algae, or fish and marine mammals that occur only in the nearshore ecoregion, that are identified in the OCS or 2) species already listed by the state as threatened or endangered.

For more information on the special needs, limiting factors, data gaps, recommended conservation actions, and resources available for each OCS Strategy Species, visit the [Oregon Conservation Strategy](#) website. For information on the legal status of invertebrate species, contact the [Oregon Department of Agriculture](#) and [Oregon Biodiversity Information Center](#). For information on the legal status of plants, contact the [Oregon Department of Agriculture](#).

What if there is not enough information to determine whether a species should be “Sensitive”?

The status of some species cannot be determined because basic information on distribution, abundance, and/or habitat associations is not known. This basic information is needed before population status or threats can be evaluated. These species are identified in the Oregon Conservation Strategy as [Data Gap Species](#) and are listed by ecoregion.

How is the Sensitive Species List updated?

The Sensitive Species List is reviewed and updated every five years. Each taxonomic group of animals is reviewed by ODFW biologists and scientific experts from other agencies, universities, and private organizations. The scientists are asked to consider new and historical information on species distribution, population trends, and biological needs; changes in threats; gaps in knowledge and data; recent conservation actions; and state and federal programs or regulations. The scientists may propose to remove, add, or re-classify species based on this information. The draft list is then peer-reviewed by state, federal, university, and consulting biologists. The Sensitive Species List is an administrative list and is not formally adopted through a rule-making process.

In addition, any person may request that a species be added to or removed from the Sensitive Species List through a written request that outlines the status of the species and how its condition meets the criteria cited in OAR 635-100-0040(6).

Why are species that are “threatened” or “endangered” under the federal Endangered Species Act included on the Sensitive Species List?

The State of Oregon and the federal government maintain separate lists of threatened and endangered species under different federal and state laws. Some species are listed as threatened or endangered under federal law but not under state law and may be included as state “Sensitive Species”.

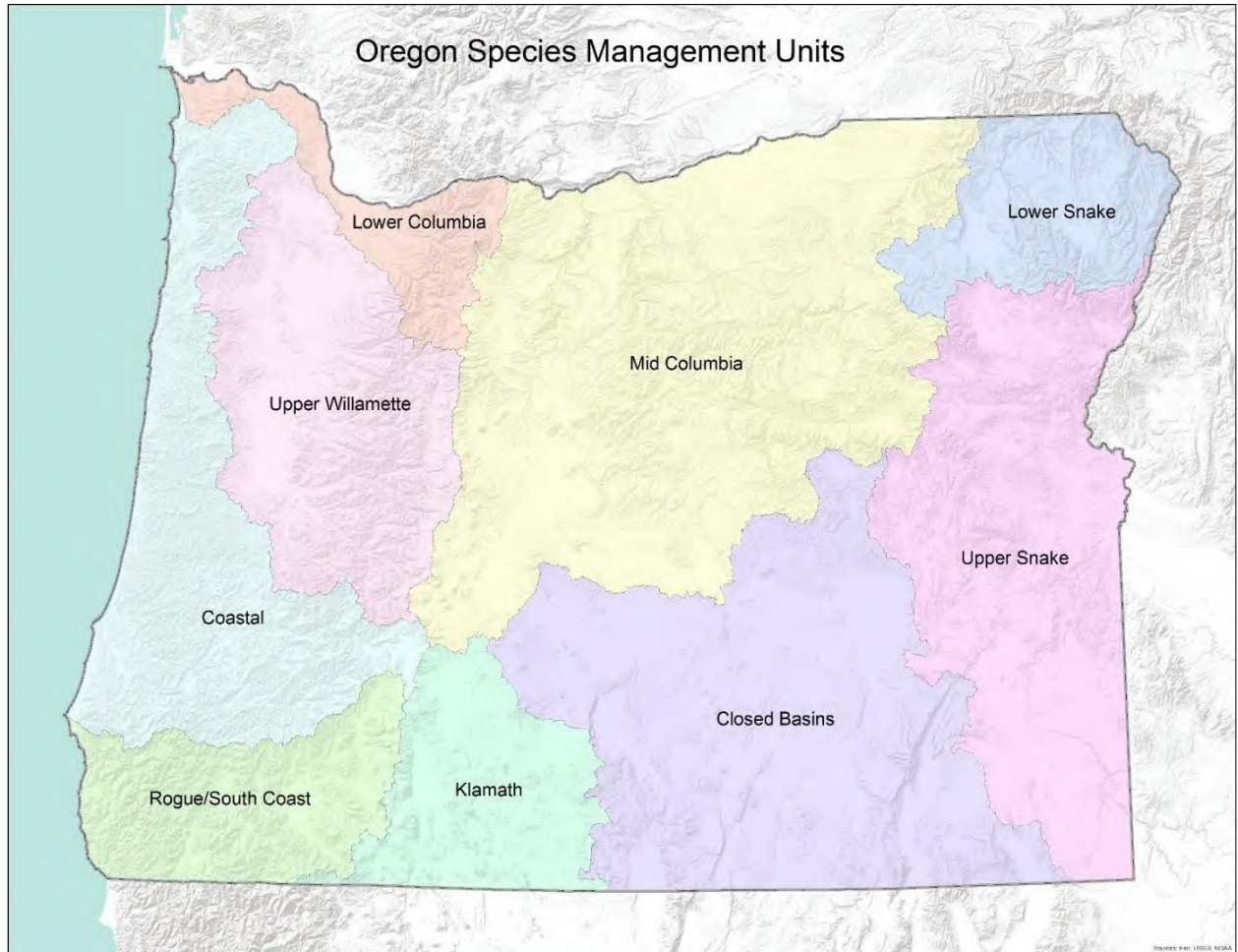


Figure 1. General location of Species Management Units (SMUs) used for determining status of fish. Note that actual SMU boundaries identified in the Sensitive Species List are species-specific and may vary between species or be at a smaller scale than indicated in this figure (especially in the Closed Basins SMU, which encompasses numerous smaller SMUs identified on the list).

Oregon Conservation Strategy Ecoregions

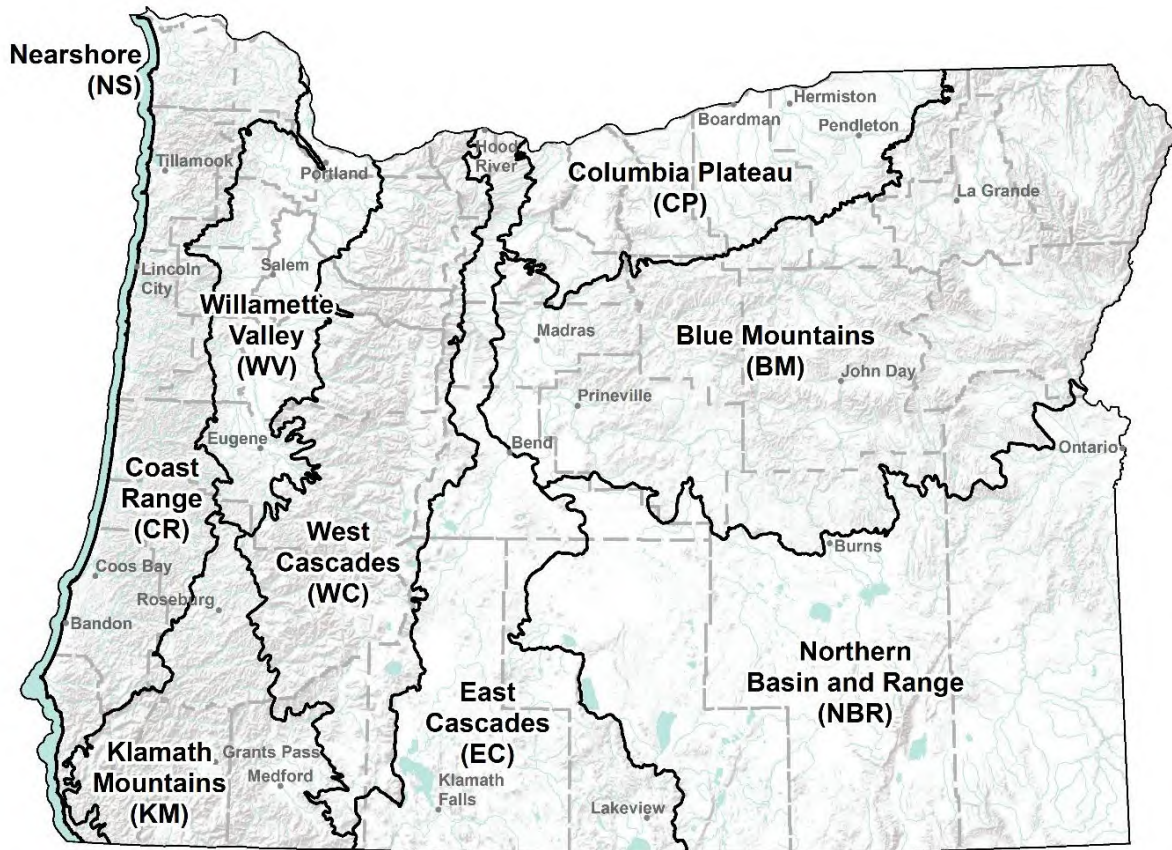


Figure 2. Ecoregions used for determining status of wildlife (i.e., amphibians, reptiles, birds, and mammals). More information about Oregon's ecoregions is available at <http://www.oregonconservationstrategy.org/ecoregions/>. Map produced by ODFW, Oregon Conservation Strategy GIS Analyst. Data sources: ODFW, Oregon Biodiversity Information Center, ESRI, USGS.



Oregon Department of Fish and Wildlife

SENSITIVE SPECIES LIST

The 2021 Sensitive Species List has 152 taxa, including 95 wildlife taxa (32 “Sensitive-Critical”, 71 “Sensitive”) and 58 fish taxa (17 “Sensitive-Critical”, 41 “Sensitive”). Note that some species may be designated as “Sensitive” in one ecoregion and “Sensitive-Critical” in another ecoregion. Refer to the table below (organized by taxon) for more information.

FISH

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Alvord Chub	<i>Siphateles alvordensis</i>	Range-Wide (NBR)	
Borax Lake Chub	<i>Gila boraxobius</i>	Range-Wide (NBR)	
Bull Trout	<i>Salvelinus confluentus</i>	Deschutes SMU (BM, EC, WC)	Hells Canyon SMU (BM)
		Grande Ronde SMU (BM)	John Day SMU (BM, CP)
		Hood River SMU (WC)	Klamath Lake SMU (EC, WC)
		Imnaha SMU (BM)	Malheur River SMU (BM, NBR)
		Walla Walla SMU (BM)	Odell Lake SMU (EC, WC)
		Willamette SMU (WC, WV)	Umatilla SMU (BM, CP)
Chinook Salmon - Fall	<i>Oncorhynchus tshawytscha</i>	Mid-Columbia River SMU/ Deschutes ESU (BM, CP, EC)	Lower Columbia River SMU/ESU (CR, WC, WV, NS)
Chinook Salmon - Spring	<i>Oncorhynchus tshawytscha</i>	Coastal SMU/ESU (CR, KM, WC, NS)	Lower Columbia River SMU/ESU (WC, WV, NS)
		Middle Columbia SMU/ESU (BM, CP, EC, NS)	Willamette SMU/Upper Willamette River ESU (WC, WV, NS)
		Rogue SMU/Southern Oregon/Northern California Coasts ESU (CR, KM, WC, NS)	
Chum Salmon	<i>Oncorhynchus keta</i>		Coastal SMU/Pacific Coast ESU (CR, NS)
			Lower Columbia SMU, Columbia River ESU (CR, WV, NS)

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Coastal Cutthroat Trout	<i>Oncorhynchus clarkii clarkii</i>	Lower Columbia SMU/ Southwestern Washington/Columbia River ESU (CR, WC, WV, NS)	
Coho Salmon	<i>Oncorhynchus kisutch</i>	Coastal Coho Salmon SMU/Oregon Coast ESU (CR, NS)	
		Klamath SMU/Southern Oregon/Northern California Coasts ESU (EC, KM, NS)	
		Rogue SMU/Southern Oregon/Northern California Coasts ESU (CR, KM, WC, NS)	
Foskett Speckled Dace	<i>Rhinichthys osculus robustus</i>	Range-Wide (NBR)	
Goose Lake Sucker	<i>Catostomus occidentalis lacusanserinus</i>	Range-Wide (EC)	
Great Basin Redband Trout	<i>Oncorhynchus mykiss newberrii</i>	Catlow Valley SMU (NBR)	
		Chewaucan SMU (NBR)	
		Fort Rock SMU (NBR)	
		Goose Lake SMU (EC)	
		Malheur Lakes SMU (BM, NBR)	
		Upper Klamath Basin SMU (EC, WC)	
		Warner Lakes SMU (NBR)	
Green Sturgeon	<i>Acipenser medirostris</i>	Northern DPS (CR, KM, NS)	
			Southern DPS (CR, KM, NS)
Miller Lake Lamprey	<i>Entosphenus minimus</i>	Range-Wide (EC)	
Millicoma Dace	<i>Rhinichthys cataractae</i>	Range-Wide (CR)	
Modoc Sucker	<i>Catostomus microps</i>	Range-Wide (EC)	
Oregon Chub	<i>Oregonichthys crameri</i>	Range-Wide (WC, WV)	
Pacific Brook Lamprey	<i>Lampetra pacifica</i>	Range-Wide (WV)	
Pacific Lamprey	<i>Entosphenus tridentata</i>	Range-Wide (CR, CP, EC, KM, WC, WV, NS)	
Pit Sculpin	<i>Cottus pitensis</i>	Range-Wide (EC, NBR)	
Steelhead - Summer / Coastal Rainbow Trout	<i>Oncorhynchus mykiss / irideus</i>	Coastal SMU/Oregon Coast ESU (CR, KM, WC)	Lower Columbia SMU/ESU (CR, WC, WV)
		Rogue SMU/Klamath Mountains Province ESU (CR, KM, WC)	

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Steelhead - Summer / Columbia Basin Rainbow Trout	<i>Oncorhynchus mykiss / gairdneri</i>	Lower Snake SMU/Snake River Basin ESU (BM)	Middle Columbia SMU/ESU (BM, CP, EC)
		Upper Snake SMU/Snake River Basin ESU (BM)	
Steelhead - Winter / Coastal Rainbow Trout	<i>Oncorhynchus mykiss / irideus</i>	Willamette SMU/Upper Willamette River ESU (WC, WV)	Lower Columbia SMU/ESU (CR, WC, WV)
Umpqua Chub	<i>Oregonichthys kalawatseti</i>		Range-Wide (CR, KM, WC)
Western Brook Lamprey	<i>Lampetra richardsoni</i>	Range-Wide (BM, CR, CP, WC, WV)	
Western River Lamprey	<i>Lampetra ayresii</i>	Range-Wide (CR, CP, WV, NS)	
Westslope Cutthroat Trout	<i>Oncorhynchus clarki lewisi</i>		Range-Wide (BM, CP)
White Sturgeon	<i>Acipenser transmontanus</i>	Lower Columbia/Coastal Population (NS, CR, WV, WC)	

AMPHIBIANS

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Cascade Torrent Salamander	<i>Rhyacotriton cascadae</i>	WC, WV	
Cascades Frog	<i>Rana cascadae</i>	EC, WC	
Clouded Salamander	<i>Aneides ferreus</i>	CR, KM, WC, WV	
Coastal Tailed Frog	<i>Ascaphus truei</i>	CR, KM, WC	
Columbia Spotted Frog	<i>Rana luteiventris</i>		BM, NBR
Columbia Torrent Salamander	<i>Rhyacotriton kezeri</i>	CR, WV	
Cope's Giant Salamander	<i>Dicamptodon copei</i>	CR, EC, WC	
Del Norte Salamander	<i>Plethodon elongatus</i>	CR, KM	
Foothill Yellow-legged Frog	<i>Rana boylei</i>		CR, KM, WC, WV
Larch Mountain Salamander	<i>Plethodon larselli</i>		WC
Northern Red-legged Frog	<i>Rana aurora</i>	CR, KM, WC, WV	
Oregon Slender Salamander	<i>Batrachoseps wrighti</i>	WC, WV	
Oregon Spotted Frog	<i>Rana pretiosa</i>		EC, WC
Rocky Mountain Tailed Frog	<i>Ascaphus montanus</i>	BM	
Siskiyou Mountains Salamander	<i>Plethodon stormi</i>		KM
Southern Torrent Salamander	<i>Rhyacotriton variegatus</i>	CR, KM, WV	
Western Toad	<i>Anaxyrus boreas</i>	BM, CR, EC, KM, NBR, WC	

REPTILES

Common Name	Scientific Name	Sensitive	Sensitive-Critical
California Mountain Kingsnake	<i>Lampropeltis zonata</i>	CR, CP, EC, KM, WC	
Northern Sagebrush Lizard	<i>Sceloporus graciosus graciosus</i>	CP	
Western Painted Turtle	<i>Chrysemys picta bellii</i>		BM, CR, CP, EC, WC, WV
Western Pond Turtle	<i>Actinemys marmorata</i>		CR, EC, KM, WC, WV
Western Rattlesnake	<i>Crotalus oreganus</i>		WV

BIRDS

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Acorn Woodpecker	<i>Melanerpes formicivorus</i>	KM, WV	
American Three-toed Woodpecker	<i>Picoides dorsalis</i>	BM, EC	
American White Pelican	<i>Pelecanus erythrorhynchos</i>	EC, NBR	
Black Brant	<i>Branta bernicla nigricans</i>	CR, NS	
Black Oystercatcher	<i>Haematopus bachmani</i>	NS	
Black Swift	<i>Cypseloides niger borealis</i>	WC	
Black-backed Woodpecker	<i>Picoides arcticus</i>	BM, EC	
Black-necked Stilt	<i>Himantopus mexicanus</i>	NBR	
Bobolink	<i>Dolichonyx oryzivorus</i>	BM, NBR	
Brewer's Sparrow	<i>Spizella breweri breweri</i>	CP	
Burrowing Owl (Western)	<i>Athene cunicularia hypugaea</i>	NBR	BM, CP
Caspian Tern	<i>Hydroprogne caspia</i>	CR, EC, NBR, NS	
Chipping Sparrow	<i>Spizella passerina</i>	WV	
Columbian Sharp-tailed Grouse	<i>Tympanuchus phasianellus columbianus</i>		BM
Common Nighthawk	<i>Chordeiles minor</i>	CP, KM	WV
Dusky Canada Goose	<i>Branta canadensis occidentalis</i>	WV	
Ferruginous Hawk	<i>Buteo regalis</i>	BM, NBR	CP
Flammulated Owl	<i>Psilosops flammeolus</i>	BM, EC, KM, WC	
Fork-tailed Storm-Petrel	<i>Oceanodroma furcata</i>	NS	
Franklin's Gull	<i>Leucophaeus pipixcan</i>	NBR	
Grasshopper Sparrow	<i>Ammodramus savannarum perpallidus</i>	CP, KM	WV
Great Gray Owl	<i>Strix nebulosa</i>	BM, EC, KM, WC	
Greater Sage-Grouse	<i>Centrocercus urophasianus</i>	NBR	BM
Greater Sandhill Crane	<i>Antigone canadensis tabida</i>	EC, NBR, WC	
Harlequin Duck	<i>Histrionicus histrionicus</i>	CR, WC	
Juniper Titmouse	<i>Baeolophus ridgwayi</i>	NBR	

Common Name	Scientific Name	Sensitive	Sensitive-Critical
Leach's Storm-Petrel	<i>Oceanodroma leucorhoa leucorhoa</i>	NS	
Lewis's Woodpecker	<i>Melanerpes lewis</i>		BM, CP, EC, KM, WC
Loggerhead Shrike	<i>Lanius ludovicianus</i>	BM, CP	
Long-billed Curlew	<i>Numenius americanus</i>	BM, EC, NBR	CP
Mountain Quail	<i>Oreortyx pictus</i>	NBR	
Northern Goshawk	<i>Accipiter gentilis atricapillus</i>	EC, WC	
Olive-sided Flycatcher	<i>Contopus cooperi</i>	BM, CR, WC, WV	EC
Oregon Vesper Sparrow	<i>Poocetes gramineus affinis</i>		KM, WV
Peregrine Falcon (American)	<i>Falco peregrinus anatum</i>	CR, NBR	
Pileated Woodpecker	<i>Dryocopus pileatus</i>	BM	
Purple Martin (Western)	<i>Progne subis arboricola</i>		CR, KM, WC, WV
Red-necked Grebe	<i>Podiceps grisegena</i>		EC
Rock Sandpiper	<i>Calidris ptilocnemis tschuktschorum</i>	NS	
Sagebrush Sparrow	<i>Artemisospiza nevadensis</i>		CP
Short-eared Owl	<i>Asio flammeus flammeus</i>	WV	
Snowy Egret	<i>Egretta thula</i>	NBR	
Streaked Horned Lark	<i>Eremophila alpestris strigata</i>		WV
Swainson's Hawk	<i>Buteo swainsoni</i>	BM, CP, EC, NBR	
Trumpeter Swan	<i>Cygnus buccinator</i>	BM, EC, NBR	
Tufted Puffin	<i>Fratercula cirrhata</i>		CR, NS
Upland Sandpiper	<i>Bartramia longicauda</i>		BM
Western Bluebird	<i>Sialia mexicana</i>	WV	
Western Meadowlark	<i>Sturnella neglecta</i>		WV
White-breasted (Slender-billed) Nuthatch	<i>Sitta carolinensis aculeata</i>	WV	
White-headed Woodpecker	<i>Picoides albolarvatus</i>		BM, EC, KM
Willow Flycatcher	<i>Empidonax traillii</i>	NBR	WV
Yellow Rail	<i>Coturnicops noveboracensis noveboracensis</i>		EC
Yellow-breasted Chat	<i>Icteria virens auricollis</i>		KM, WV

MAMMALS

Common Name	Scientific Name	Sensitive	Sensitive-Critical
American Pika	<i>Ochotona princeps</i>	BM, EC, NBR, WC	
California Myotis	<i>Myotis californicus</i>	BM, CR, EC, KM, NBR, WC, WV	
Columbian White-tailed Deer	<i>Odocoileus virginianus leucurus</i>		CR, WV
Fisher	<i>Pekania pennanti</i>		CR, KM, WC
Fringed Myotis	<i>Myotis thysanodes</i>	BM, CR, EC, KM, NBR, WC, WV	
Hoary Bat	<i>Lasiurus cinereus</i>	BM, CR, CP, EC, KM, NBR, WC, WV	
Long-legged Myotis	<i>Myotis volans</i>	BM, CR, EC, KM, NBR, WC	
Pacific Marten	<i>Martes caurina</i>	BM, CR, EC, KM, WC	
Pallid Bat	<i>Antrozous pallidus</i>	BM, CP, EC, KM, NBR	
Pygmy Rabbit	<i>Brachylagus idahoensis</i>	NBR	
Red Tree Vole	<i>Arborimus longicaudus</i>	CR, KM, WC	
Ringtail	<i>Bassariscus astutus</i>	CR, KM, WC	
Rocky Mountain Bighorn Sheep	<i>Ovis canadensis canadensis</i>	BM	
Sierra Nevada Red Fox	<i>Vulpes vulpes necator</i>	EC, KM, WC	
Silver-haired Bat	<i>Lasionycteris noctivagans</i>	BM, CR, CP, EC, KM, NBR, WC, WV	
Spotted Bat	<i>Euderma maculatum</i>	BM, CP, EC, KM, NBR	
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>		BM, CR, CP, EC, KM, NBR, WC, WV
Western Gray Squirrel	<i>Sciurus griseus</i>	WV	
White-tailed Jackrabbit	<i>Lepus townsendii</i>	NBR	

Ecoregions: BM: Blue Mountains, CR: Coast Range, CP: Columbia Plateau, EC: East Cascades, KM: Klamath Mountains, NBR: Northern Basin and Range, WC: West Cascades, WV: Willamette Valley, NS: Nearshore

RE: DSL Comments on Lone Pine to Whetstone NOI

UNITIS Matthew * DSL

Mon 8/14/2023 1:09 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>; STEBBINS Lauren * DSL
<Lauren.Stebbins@DSL.Oregon.gov>

Hi Kathleen – I still don't have much to contribute here, as the delineation still hasn't been submitted for review.

Best,

Matt

Matt Unitis (He/Him)

Jurisdiction Coordinator

Aquatic Resources Management Program

Oregon Department of State Lands

775 Summer St. NE

Salem, OR 97301

503-986-5262

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Sent: Monday, August 14, 2023 10:28 AM

To: UNITIS Matthew * DSL <Matthew.UNITIS@dsl.oregon.gov>; STEBBINS Lauren * DSL
<Lauren.Stebbins@DSL.Oregon.gov>

Subject: DSL Comments on Lone Pine to Whetstone NOI

Hi Matt and Lauren,

I wanted to follow up on our call in late June on the Lone Pine to Whetstone 230 kV transmission line Notice of Intent (near Medford).

Does DSL have any written comments to submit to us on this NOI - specific to wetlands, removal fill and delineation reports/studies requested or specific information the applicant should consider when conducting the studies for the application?

We appreciated your time on the call and I have notes from the call but if you wanted or intended to submit written comments to us, we would like to get them within the next week, if possible.

Thanks,



Kathleen Sloan
Senior Siting Analyst
550 Capitol St. NE | Salem, OR
97301
P: 971-701-4913



Stay connected!

[State of Oregon: Facilities - Energy Facility Siting](#)