



UNION COUNTY BOARD OF COMMISSIONERS

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August 21, 2019

Oregon Department of Energy
Attn: Kellen Tardaewether
Senior Siting Analyst
550 Capitol St. NE Salem, OR 97301

RE: Union County Comments to the Boardman to Hemmingway 500kv Transmission Line,
Draft Proposed Order.

Dear Mrs. Tardaewether:

Union County believes that no portion of the B2H Project should be sited within Union County. However, to address the possibility that the Energy Facility Siting Council approves the B2H Project despite Union County's objections, the following should be included in the Final Order for review of Site Certificate.

1. Conflict Resolution

Idaho Power Company is taking the direction of gaining Site Certificate approval by addressing a majority of the standards and criteria that would be applicable to all five counties in Oregon and then recommending as approval conditions to conduct specific plans, like transportation routing, at a later date once Idaho Power Company selects a contractor to construct the B2H Project. Union County is not opposed to this tactic as it allows building a relationship between Union County and the Site Certificate holder and contractor impacting our county. However, Union County is concerned the Draft Proposed Order does not identify a clear path for conflict resolution between the county and Site Certificate holder/contractor if agreement is not reached in plan development with the local jurisdiction. Currently, the Draft Proposed Order only identifies developing the specific plan and turning it into the Oregon Department of Energy staff to satisfy the approval condition. Therefore, Union County is recommending the following for Oregon Department of Energy staff consideration:

Union County Request #1:

Oregon Department of Energy staff needs to clearly identify a process for conflict resolution between Union County and the Site Certificate holder or Site Certificate Holder's contractor for all approval conditions requiring plan development after Site Certificate approval is granted and prior to construction activities commencing in Union County. This shall be included in the language of the Site Certificate if approved.

2. Wildland Fire Danger

Union County is comprised of terrain that can be challenging to reach by emergency vehicles and during the summer months is usually under a high industrial fire precaution level. Since the building of a new 500kv high voltage transmission line in Union County is not a normal activity or occurrence, we feel there could be a greater potential for wildland fires because of the increased construction activity level in our County.

Union County Request #2:

During construction activities of the B2H Project in Union County, the Site Certificate holder will contract with a local Union County Wildlands Firefighting contractor, qualified by the Oregon Department of Forestry or the USDA Forest Service and have a Type 6 or Type 4 engine and crew on site at construction locations during all construction activities outside of multiuse areas.

3. Contact Information

Union County Request #3

During construction activities of the B2H Project the Site Certificate Holder and Site Certificate Holder's contractor(s) shall provide emergency contact information to the following: (Emergency contact information shall include individual's name, company individual works for, position individual holds within that company, phone number and business address).

Union County Sheriff's Office and Dispatch
Union County Emergency Services Office
Union County Public Works Department
City of La Grande Police Department
Oregon Department of Forestry
USDA Forest Service, La Grande Ranger Station
Blue Mountain Interagency Dispatch Center

4. Transmission Line Route

Union County Request #4

Union County requests Idaho Power Company or the Site Certificate Holder to use the Alternative Route identified in the application for Site Certificate of the B2H Project.

5. Transportation Routes

Based upon a review of maps supplied by Idaho Power Company (IPC), the following gravel roads will be impacted during construction of the B2H power line: Jimmy Creek, Olsen, Heber, Bushnell, Marvin, Hawthorne, Rock Creek and Dark Canyon. Depending on how the power line is constructed, and the types of construction equipment used, these roads will need additional maintenance before, during and post construction, including

blading, watering, rolling, additional ¾ - 0 gravel, and dust abatement in front of residents' homes. Union County Public Works Department will inspect each road before, during, and post construction, to evaluate the condition of the roads.

In addition to the roads listed, two additional gravel roads requiring special accommodation will be impacted during construction of the B2H power line: Morgan Lake Road and Glass Hill Road. Morgan Lake Road is a narrow gravel road two miles long, with a very steep grade (15% - 18%), that serves residents, cattle ranches, and access to Morgan Lake. Depending on the types of construction equipment that will use this road, maintenance will be needed, as mentioned above. Again, this road is very narrow and given the volume of traffic (400 ADT or greater during summer months) guard rails should be installed the full length of the road, and the road must be widened to accommodate two lanes of traffic. If guard rail modifications and widening cannot be completed, IPC should not use Morgan Lake Road and instead look for other alternatives to access the power line during construction.

Glass Hill Road is a gravel road and will need additional maintenance during construction as outlined above. In addition, at approximately mile post 1, from Morgan Lake Road, there is an active slide. IPC will be required during construction to monitor the slide and if movement occurs, the contractor will be required to clean culverts and ditches, install retaining walls, and remove any excess material to reduce the further movement of the road to ensure safe passage for residents and construction equipment.

Paved roads that will be used for construction are Foothill Road and Old Oregon Trail Road. According to Union County Public Works pavement management system, Foothill Road is in fair condition. If substantial damage occurs during construction, IPC and/or its contractor will return the road to the same condition. Union County Public Works will review the road before, during and after construction to evaluate damage to the existing road.

Old Oregon Trail Road is paved but in poor condition. If this road is used as a haul route for construction materials, IPC and/or its contractor will fix any further damage to the paved road. Union County Public Works will review the road before, during and after construction to evaluate damage to the existing road.

The total number of road approaches equals approximately 22. Each road approach will require a Work in Right of Way Permit. IPC's contractor can obtain these permits at the Union County Public Works office. Each permit will be evaluated by Union County Public Works to determine if culverts are needed, and approve location of the approach.

In summary, all roads that will be used to construct the B2H power line are farm to market roads and do not experience this type of construction traffic. Union County will require IPC to review the condition of the roads with Union County Public Works Director to develop a maintenance and safety plan that will keep Union County roads in current or better condition.

6. Noxious Weed Plan

The Union County has concerns regarding the repeated use of language within the Idaho Power Company's application for Site Certificate and in the Draft Proposed Order stating:

“IPC is not responsible for ...controlling or eradicating noxious weed species that were present prior to the Project” throughout the B2H Noxious Weed Plan, attachment P1-5 of the DPO. This statement is contradictory to the Oregon Weed Law identified in ORS 569.390: *“Each person, firm or corporation owning or occupying land within the district shall destroy or prevent the seeding on such land of any noxious weed”*. It is also very important to utilize a contractor with extensive knowledge of the local weeds we deal with in Union County and best methods for control.

Union County Request #5:

Union County requires a \$500,000 bond from IPC to pay for noxious weed control costs in the event that adequate weed control is not conducted by Idaho Power Company at any point over the initial 20 years of construction and operation of the B2H project (as determined by the county weed supervisor). This bond will help offset costs if the county must go through the enforcement process and contract the noxious weed treatments themselves. The bond amount is based on estimated contractor control costs for the roughly 3,500 acres of disturbed ground and Site Boundary areas along with 55 miles of disturbed/ new roads that will be within Union County.


Union County Request #6:

During construction activities of the B2H Project in Union County, the Site Certificate holder will contract with a local North East Oregon noxious weed control operator, licensed by the Oregon Department of Agriculture for noxious weed control activities. After construction activities and for the life of the transmission line Oregon Revised Statute 569.390 will be used for the control of noxious weeds in Union County for all lands.

Union County Commissioners request the Oregon Department of Energy staff take these six issues under serious consideration and include them in the Final Order. If you have any questions please contact Scott Hartell, Union County Planning Director, at 541-931-1014.

Sincerely,


Donna Beverage, Chair


Paul Anderes, Commissioner


Matt Scarfo, Commissioner