

AGENDA ITEM FOR ADMINISTRATIVE MEETING

( ) Discussion only  
( x ) Action

FROM (DEPT/ DIVISION): Land Use Planning  
PROGRAM: Planning

SUBJECT: Comments to Oregon Department of Energy Regarding Boardman to Hemingway  
Transmission Line Amended Preliminary Application for Site Certificate

**Background:** The Boardman to Hemingway Transmission Line (B2H) proposed facility is undergoing the completeness review by the Oregon Department of Energy (ODOE) for its Amended Preliminary Application for Site Certificate (ApASC). The completeness review conducted by ODOE, reviewing agencies, Special Advisory Groups, and Tribal Governments, is the review to verify that the information required, outlined in OAR 345-021-0010 (Contents of an Application), is present in the application materials. In September, 2017, the Umatilla County Planning Department, on behalf of the Umatilla Board of Commissioners, submitted comments and Requests for Additional Information (RAI's) on the ApASC. ODOE has requested confirmation from the County that the responses provided by Idaho Power are complete per the requirements of OAR 345-021-0010. Note: Umatilla County Board of Commissioners will have an additional opportunity at a later date to comment on the application during the "compliance review period" for the project.

( ) INFORMATIONAL  
( x ) ACTION REQUESTED:

ATTACHMENTS:

- 1. Completeness Review with IPC Responses
- 2. Confirmation Letter from BCC

Submitted By: Bob Waldher, Planning Director

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

Checkoffs:

- ( ) Exec. Asst.
- ( X ) Dept. Head (copy)
- ( ) Human Resources (copy)
- ( ) Budget (copy)
- ( ) Fiscal
- ( X ) Legal (copy)
- ( ) (Other – List:

To be notified of Meeting:  
Bob Waldher, Doug Olsen,

Needed at Meeting:  
Bob Waldher

PLEASE RETURN THIS FORM AND ATTACHMENTS TO OFFICE MANAGER

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Scheduled for meeting on: May 16, 2018

Action taken:

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Follow-up

Idaho Power Responses to Comments and Requests for Additional Information on the B2H ApASC from  
Umatilla County

*Compiled by ODOE. RAI's from Umatilla County and Responses from IPC*

ApASC Section / Exhibit Ref.	ApASC Page Ref./Line Ref.	Applicable Rule (OAR 345-021- or other as indicated)	Request for Additional Information or Comment	IPC Response
Attachment C-3			Morrow and Umatilla County maps are cut off.	Error corrected.
E	7 / Lines 30, 31		Change point of contact from Tamra Mabbott to Robert Waldher.	Corrected
K	115 / Line 9		Should read UCDC.	Error corrected.
K	120 / Line 23		Applicant states that the County cannot require a Zoning Permit per Brentmar vs. Jackson County. The County disagrees. A Zoning Permit in order to grant final approval is a procedural matter that is a condition of approval for all Land Use Decisions processed Umatilla County. A Zoning Permit is required for each tax lot associated with the project. See UCDC Section 152.612(D)	The referenced discussion does not say that the county cannot require a permit. Rather, it says the county cannot apply approval criteria for said permit that are more strict than what's set forth in ORS 215.283(1). Idaho Power included the EFU Zoning Permit within the list of authorizations covered by the site certificate (see Exhibit K, Table K-13; Exhibit E, Section 3.1.6.1) and will obtain said permit as indicated in this comment.
K	121/Line 32		Should read Umatilla County.	Corrected.
K	133 / Lines 19-28		UCDC 152.617(N) (1) may be problematic for applicant because Personal Use Airports are only intended for use by the airstrip owner. Will IPC own the land where the airstrip is located?	Under UCDC 152.617(N), to be considered a personal use airport, the airport must be restricted to use by the owner or by the owner's invited guests on an infrequent or occasional basis (see also UCDC 152.003 (defining "personal-use airport")). In this instance, Idaho Power may either purchase the heliport properties or acquire access to the properties through a license, lease, or other agreement. If Idaho Power purchases the heliport properties, Idaho Power would be the owner of the heliport property and heliport itself, and therefore, the heliport would be considered a personal use airport

# Idaho Power Responses to Comments and Requests for Additional Information on the B2H ApASC from Umatilla County

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				<p>under UCDC 152.617(N). If Idaho Power does not purchase the heliport properties but instead acquires access from third-party property owners, the heliport would still be considered a personal use airport under UCDC 152.617(N), because Idaho Power's use of the heliport would be at the invitation of the property owners and would be infrequent and occasional.</p> <p>UCDC 152.617(N)(1) provides no aircraft may be used at a personal use airport other than those owned or controlled by the airstrip owner. Here, the helicopters will be owned by either Idaho Power or Idaho Power's contractors. If Idaho Power purchases the heliport properties, the heliports will comply with UCDC 152.617(N)(1) because either IPC will own the helicopters using the heliports or the contractors' helicopter operations will be subject to the terms of the contract between IPC and the operators and will therefore be considered "controlled" by Idaho Power for purposes of UCDC 152.617(N)(1). If Idaho Power acquires access from third-party property owners, the helicopters (whether owned by Idaho Power or Idaho Power's contractors) will be subject to the terms of the agreement between Idaho Power and the property owners and will therefore be considered "controlled" by the property owners for purposes of UCDC 152.617(N)(1).</p>
K	179/		Umatilla Basin Water Commission is no longer active. This can be removed.	Removed.
K	184 / Line 4		Should say Umatilla County	Corrected.
E	29		Change point of contact from Tamra Mabbott to Robert Waldher.	Corrected.
Table G-1-1			Consider updating information from aggregate suppliers. The information is over 5 years old.	Prior to construction, IPC's construction contractor will contact third party aggregate suppliers and request documentation that

Idaho Power Responses to Comments and Requests for Additional Information on the B2H ApASC from  
Umatilla County

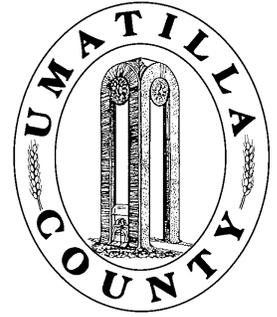
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			Note: aggregate and concrete provided from third parties will need to be obtained from legally permitted aggregate sites or mining operations.	their aggregate sites or mining operations are legally permitted by the state of Oregon and Umatilla County.
U			Remove Umatilla County Fairgrounds from table. This facility is no longer in operation.	As requested, Idaho Power removed the Umatilla County Fairgrounds from Table U-6. No additional edits or information are necessary for completeness to address this comment.

# Umatilla County

Board of County Commissioners

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Commissioners

May 16, 2018

George L.  
Murdock  
541-278-6202

Kellen Tardaewether  
Oregon Department of Energy  
550 Capitol St N.E., 1st Floor  
Salem, OR 97301

W. Lawrence  
Givens  
541-278-6203

William J. Elfering  
541-278-6201

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**RE: Umatilla County Comments on Completeness Review for Boardman to Hemingway Transmission Line Amended Preliminary Application for Site Certificate**

Executive  
Secretary  
Melinda Slatt  
541-278-6204

County Counsel  
Douglas Olsen  
541-278-6208

Chief Financial  
Officer  
Robert Pahl  
541-278-6209

Umatilla County has reviewed the responses provided by Idaho Power Company which address the County's September 2017 completeness review of the Amended Preliminary Application for Site Certificate for the Boardman to Hemingway Transmission Line. Umatilla County understands that an additional opportunity to comment on the application will be provided during the "compliance review period" for the project. Therefore, Umatilla County has no additional comments at this time.

Respectfully,

George Murdock  
Board Chairman