

# PUBLIC NOTICE



## Boardman to Hemingway Transmission Line Request for Comments on the Complete Request for Amendment 2 and Draft Proposed Order

**Notice Date:** April 16, 2024

**Description of Facility (Approved):** The approved but not yet constructed facility is an approximately 300 mile (275 miles in Oregon), single circuit, 500 kilovolt (kV) electrical transmission line, which includes transmission towers, a switching station, and access roads as well as removal of approximately 12 miles of existing 69-kV transmission line, rebuilding of approximately 1 mile of a 230-kV transmission line, and rebuilding of approximately 1 mile of an existing 138-kV transmission line.

**Site Certificate Amendment Request:** Request for Amendment 2 (RFA2) submitted by Idaho Power Corporation (certificate holder) seeks Energy Facility Siting Council (EFSC or Council) approval to expand the site boundary for most of the facility; the addition of micrositing areas to relocate the transmission line in 12 locations including approximately 40 miles of 500-kV transmission line alternatives and 98.5 miles of associated access road modifications, and 0.6 mile of 230-kV transmission line alternatives; refining 58 miles of roads resulting from additional design and engineering review; and proposed alternative temporary work areas. RFA2 also seeks Council approval to add a Midline Capacitor Substation, located on approximately 10 acres within the previously approved site boundary in Union County; and widen the width of roads used for construction based on the slope of the terrain. The amendment also requests Council approval to amend language of site certificate condition(s): GEN-GS-06, GEN-NC-01, PRE-RT-01, CON-TE-02, PRE-FW-03, PRE-FW-04, OPR-FW-03, OPR-FW-04 and OPR-RT-01.

**Review Process:** Type A

**Recommendation:** The Oregon Department of Energy Staff (Department) recommends the Energy Facility Siting Council (EFSC or Council) find that Request for Amendment 2 (RFA2) meets all required standards and approve the amendment.

**Public Comment Period:** A 45-day comment period is open. Comments are accepted as of April 16 through May 30, 2024, until the close of the public hearing listed below, unless extended by Council. The public may comment on RFA2, DPO, and DPO Attachments including the amended site certificate and revised conditions.

**Public Hearing:**

Date: Thursday, May 30, 2024  
Start Time: 5:30 p.m. Pacific  
End Time: no earlier than 6:30 p.m.  
Location: Port of Morrow Riverfront Center/Riverfront Room 2  
Marine Dr NE, Boardman, OR 97818

**May 30, 2024 Hearing**

**Webinar Link:**

<https://odoe.webex.com/odoe/j.php?MTID=mb8602b18617f34376e0f8603b862a8db>

**Webinar Event Number:** 2330 219 1379

**Webinar Event Password:** EFSC (3372 from phones and video systems)

**Teleconference:** 408-418-9388

**Teleconference Access code:** 2330 219 1379

*If using Webex, please use your full name to sign in to help staff manage public comments. Additional information will be provided at the hearing about how to provide an oral comment using Webex features.*

**Facility Location and Location of Proposed RFA2**

**Changes:** The approved facility is located in five counties in Oregon: Morrow, Umatilla, Union, Baker and Malheur; and in the City of North Powder. The changes proposed in RFA2 would be located within all five counties and the City of North Powder. The micrositing area additions proposed in RFA2 are presented in RFA2 Figure 4-1 and the areas of the proposed expanded site boundary associated with the approved facility are presented in Figure 8-1, these are available for viewing and downloading via

the Department’s webpage hyperlinked on the Project Timeline.

**EFSC Review Process:** The site certificate amendment process is a consolidated, comprehensive permit review. The certificate holder must demonstrate that the changes proposed in RFA2 meet all applicable EFSC standards established under Oregon Revised Statute (ORS) 469.501 and set forth in Oregon Administrative Rule (OAR).

**Boardman to Hemingway Transmission Line Request for Site Certificate Amendment 2 - Process Overview:**

**Request for Site Certificate Amendment:**

The certificate holder filed preliminary Request for Amendment 2 (pRFA2) on June 12, 2023. On April 9, 2024 following Department review and requests for additional information, and review of certificate holder responses, the Department notified the certificate holder that pRFA2 was determined to be complete. A complete request for amendment (RFA2) was received on April 11, 2024. RFA2 is electronically available on the Department’s project webpage as described in the More Information section below and is available for review.

**Draft Proposed Order Issuance:**

On April 16, 2024 the Department issued a Draft Proposed Order (DPO) on RFA2. The DPO, ODOE’s first evaluation of the amendment request, includes recommended findings of fact and conclusions of law, recommended amended site certificate conditions, and recommends that Council approve the amendment request. The DPO is not a Final Order. The purpose of this DPO notice is to inform the public of an open comment period and a DPO public hearing, with opportunities for in-person and remote participation.

Under the Scope of Council’s Review, the Council must find that the portions of the facility within the area added by the amendment complies with all laws and Council standards applicable to an original site certificate application; the amount of the bond or letter of credit required under OAR 345-022-0050 is adequate; and, that the facility, with proposed RFA2 changes, complies with the applicable laws or Council standards that protect a resource or interest

that could be affected by the proposed RFA2 changes.

**Public Hearing(s) and Comment Period:**

EFSC will hold a public hearing on the DPO on May 30, 2024 which will provide opportunities for in person and remote participation. See in person meeting details and Webex login information on Page 1 of this notice for more details. The hearings will be conducted by EFSC.

During the hearings there will first be a brief overview by ODOE on the siting process, the approved facility and the changes proposed in the amendment request for which certificate holder seeks EFSC approval, followed by an overview of the hearing format and finally an opportunity to provide oral comments on RFA2 and the DPO.

To raise an issue on the record of the DPO public hearing, a person must raise an issue either in person at the public hearing, or in a written comment submitted after the date of this notice and received by ODOE before the record closes on May 30, 2024 at the end of the public hearing, unless extended by Council.

A person’s failure to raise an issue in person or in writing prior to the close of the record, with sufficient specificity to afford the decision maker an opportunity to respond to the issue, will preclude consideration of the issue, by the Council or by a court on judicial review of the Council’s decision.

Failure to raise an issue in person or in writing prior to the close of the record of the public hearing with sufficient specificity to afford the decision maker (Council), the Department and the certificate holder an opportunity to respond to the issue precludes the Council from considering whether that issue justifies a contested case proceeding. To raise an issue with sufficient specificity, a person must present facts that support the person’s position on the issue.

Written comments to be included on the record of the DPO public hearing must be received by the comment deadline, submitted at one of the hearings, through ODOE’s online comment portal described below or by mail, email or fax to:

Kellen Tardaewether, Senior Siting Analyst  
Oregon Department of Energy  
550 Capitol Street NE, 1st Floor  
Salem, OR 97301  
Email: [kellen.tardaewether@energy.oregon.gov](mailto:kellen.tardaewether@energy.oregon.gov)  
Fax: 503-373-7806  
Phone: 503-586-6551

Written or oral comments may be hand-delivered, submitted verbally via Webinar/teleconference or in-person at the public hearing, or via electronic methods previously described. EFSC will not accept or consider comments on RFA2 or the DPO on RFA2 after May 30, 2024, at the close of the public hearing.

#### Online Comment Portal

ODOE has an online portal for submitting comments on projects during an active comment period. The goal of the online comment portal is to provide members of the public with a convenient option to submit input on projects, and to provide additional resources that will enable meaningful participation in the Site Certificate Amendment process.

The comment portal can be accessed via the link below:  
<https://odoe.powerappsportals.us/SitingPublicComment/>

To get started, choose a project from the drop-down menu. Only projects that have a comment period which is currently active will be listed. Choose your project, click "Next", and follow the instructions on the screen. You will receive an email confirmation after submitting your comment.

**Please note:** All comments submitted to ODOE may be disclosed to the public, subject to Oregon Public Records Laws (ORS Chapter 192). ODOE also has a new project comment docket system available which displays comments that have been submitted on all Siting projects. Comments for this proceeding will be posted to the comment docket and will normally be available to view within 3 business days of receipt.

The comment docket can be accessed via the following link:

<https://odoe.powerappsportals.us/en-US/sitingdocket/>

Comment submission does not register your contact information to receive future notices. If you would like to receive notices for this facility or any other EFSC facility, and have not already done so, please follow the information in this notice to subscribe to the ClickDimensions email notification list as described below.

#### **Council Review of the Draft Proposed Order**

Following the close of the record of the DPO public hearing, and during a Council meeting, EFSC will review the DPO, comments received on the record of the DPO, any certificate holder responses, and will provide comments to ODOE.

#### **Proposed Order**

After EFSC has reviewed the DPO and considered all comments received on the record of the public hearing as described in this notice, ODOE will issue a Proposed Order. The Proposed Order will include ODOE staff's evaluation of issues raised in comments received on the record of the DPO as well as those by EFSC, and will include any necessary changes to its recommended findings of fact, conclusions of law and conditions. The Proposed Order shall recommend approval, modification, or denial of the first amended site certificate.

#### **Contested Case**

Along with the issuance of the Proposed Order, ODOE will issue a notice of an opportunity to request a contested case to all persons who commented on the record of the DPO public hearing. To be eligible to participate in a Contested Case proceeding, a person must raise an issue either in person at the public hearing or in a written comment submitted between April 16 and May 30, 2024, the date the record closes, unless extended. Contested case requests must be submitted in writing to ODOE by a deadline that will be specified within that notice.

To properly raise an issue in a request for a contested case proceeding, the issue must be within the jurisdiction of EFSC and must be raised with sufficient specificity to afford EFSC, the Department and the certificate holder an opportunity to respond

to the issue. The issue must raise a significant issue of fact or law that is reasonably likely to affect EFSC's determination that the facility, with the changes proposed in the amendment request, meets applicable laws and EFSC standards included in OAR Chapter 345 Divisions 22, 23, and 24.

A ten minute video describing the Type A Amendment Contested Case threshold is available at <https://www.youtube.com/watch?v=uBBGGhRXHu8>.

For more information related to the Proposed Order process and Requests for Contested Case under Type A Review, see <https://tinyurl.com/OAR-345-027-0371>.

The Siting Division Public Guide contains information on the EFSC process, including the contested case process and is accessible via: <https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

#### Final Order

Following the Contested Case proceeding, or the Proposed Order phase if no requests for a Contested Case are received and granted by EFSC, EFSC will issue a Final Order either approving or rejecting RFA2. If approved, an Amended Site Certificate will be issued.

For more information relating to EFSC standards, please visit: <http://www.oregon.gov/energy/facilities-safety/facilities/Pages/Siting-Standards.aspx>

#### **Receipt of this Notice:**

Please note that you may be receiving this notice for multiple reasons:

1. You own property within or adjacent to (within 500 feet) the property which is the subject of the amendment request. You will automatically receive all future notices on this facility.
2. You have requested to receive paper notices on the Boardman to Hemingway Transmission Line. If you wish to be removed from this mailing list, please contact Kellen Tardaewether.
3. You have previously signed up via GovDelivery/ClickDimensions or by

contacting ODOE to receive notices related to the Boardman to Hemingway Transmission Line or all EFSC project-related notices. You will automatically receive all future notices per your request unless you unsubscribe via ClickDimensions or by contacting ODOE.

#### **More Information:**

Please contact Kellen Tardaewether, Senior Siting Analyst, at the email address or mailing address listed in this notice. More information about the facility and updates on the review process is available using any of the following options.

#### **1) Oregon Department of Energy's webpage:**

More details on the Boardman to Hemingway Transmission Line RFA2 and ODOE's Draft Proposed Order are available online at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/B2H.aspx>

Additional resources to help you participate in the state siting process can be found at:

<http://www.oregon.gov/energy/facilities-safety/facilities/pages/default.aspx>

#### **2) Updates by email/mail:**

Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and updates on the Boardman to Hemingway Transmission Line as well as any or all other energy facilities and events under EFSC jurisdiction. For more information, please visit:

<http://web.energy.oregon.gov/cn/a6n53/subscribe>.

To receive notices by U.S. Mail, please contact Kellen Tardaewether.

#### **3) In Hardcopy:**

Copies of RFA2 and the DPO are available for public inspection at no cost at:

Oregon Department of Energy  
550 Capitol Street NE  
Salem, OR 97301

Please contact Kellen Tardaewether if you wish to arrange a time to inspect the RFA2 or DPO. Hard copies will be provided at reasonable cost upon request to the Department.

**Accessibility information:**

The Department is committed to accommodating people with disabilities. For review of RFA2, DPO or attendance at the public hearing, if you require any special physical or language accommodations, or need information in an alternate format, please contact Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or email to [nancy.hatch@energy.oregon.gov](mailto:nancy.hatch@energy.oregon.gov). For any other accommodation needed to attend the public hearing, please contact ODOE as soon as possible so we may provide the accommodation.

