

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

IN THE MATTER OF IDAHO POWER COMPANY'S, PETITION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	Docket: PCN 5 Cross Examination Statement Wendy King
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Date: April 12, 2023

Wendy King, Intervenor

55357 McKenzie Hwy

Blue River OR 97413

King5some@juno.com

Cross Exam witness, statements & exhibits April 12, 2023

Witness: Mitch Colburn; Time: requested: 30 minutes; Statements: Alternative Route constraints, opportunities, regional analysis, mitigation cost analysis & consideration of prime cropland, fire analysis of dryland crop systems, aerial chemical application alternatives, consideration of airstrips and NRHP.

Exhibit 1: Page 3-3 of Bulletin 1724E-200 United States Department of Agriculture Rural Utilities Service

Bulletin 1724E-200
Page 3-3

TABLE 3-1
LINE ROUTING CONSIDERATIONS

<p><u>Physical</u></p> <ul style="list-style-type: none"> • Highways • Streams, rivers, lakes • Railroads • Airstrips • Topography (major ridge lines, floodplains, etc.) • Transmission lines & distribution lines • Pipelines,(water, gas, sewer), underground Electric • Occupied buildings 	<p><u>Sources</u></p> <p>USGS, state & county highway department maps</p> <p>USGS, Army Corps of Engineers, flood insurance maps</p> <p>USGS, railroad</p> <p>USGS, Federal Aviation Administration (FAA)</p> <p>USGS, flood insurance maps (FEMA), Army Corps of Engineers</p> <p>USGS, local utility system maps</p> <p>USGS, local utility system maps</p> <p>Local tax maps, land use maps, local GIS maps</p>
<p><u>Biological</u></p> <ul style="list-style-type: none"> • Woodlands • Wetlands • Waterfowl, wildlife refuge areas, endangered species & critical Habitat Areas 	<p><u>Sources</u></p> <p>USGS, USDA - Forest Service,</p> <p>USGS, Army Corps of Engineers, USDA National Conservation Resource Service, USDI Fish and Wildlife Service</p> <p>USDI - Fish and Wildlife Service, State Fish and Game Office</p>
<p><u>Human Environmental</u></p> <ul style="list-style-type: none"> • Rangeland • Cropland • Urban development • Industrial development • Mining areas • Recreation or aesthetic areas, national parks, state and local parks • Prime or unique farmland • Irrigation (existing & potential) • Historic and archeological sites • Wild and scenic rivers 	<p><u>Sources</u></p> <p>USGS aerial survey, satellite mapping, county planning agencies, state planning agencies, state soil conservation service, mining bureau, U.S. Bureau of Land Management, NRCS</p> <p>USGS, soil surveys, USDA - NRCS, state department of agriculture, county extension agent</p> <p>Irrigation district maps, applications for electrical service, aerial survey, state departments of agriculture and natural resources, water management districts</p> <p>National Register of Historic Sites (existing), state historic preservation officer , state historic and archeological societies</p> <p>USGS maps, state maps, state department of natural resources, Department of Interior</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> • Federal, state and county controlled lands 	<p><u>Sources</u></p> <p>USGS, state maps, USDI Park Service, Bureau of Land Management, state department of natural resources, county maps, etc.</p>

Subject: Design Manual for High Voltage Transmission Lines Bulletin in full:

http://www.rurdev.usda.gov/RDU_Bulletins_Electric.html

Exhibit 2

OAR 345-021-0010(1)(b)(D) i-vii

In the assessment, the applicant must discuss the reasons for selecting the corridors, based upon evaluation of the following factors:

(i)

Least disturbance to streams, rivers and wetlands during construction;

(ii)

Least percentage of the total length of the pipeline or transmission line that would be located within areas of Habitat Category 1, as described by the Oregon Department of Fish and Wildlife;

(iii)

Greatest percentage of the total length of the pipeline or transmission line that would be located within or adjacent to public roads and existing pipeline or transmission line rights-of-way;

(iv)

Least percentage of the total length of the pipeline or transmission line that would be located within lands that require zone changes, variances or exceptions;

(v)

Least percentage of the total length of the pipeline or transmission line that would be located in a protected area as described in [OAR 345-022-0040 \(Protected Areas\)](#);

(vi)

Least disturbance to areas where historical, cultural or archaeological resources are likely to exist;

(vii)

Greatest percentage of the total length of the pipeline or transmission line that would be located to avoid seismic, geological and soils hazards;

(viii)

Least percentage of the total length of the pipeline or transmission line that would be located within lands zoned for exclusive farm use

County Planning

Exhibit 3

ORS 215.275

Utility facilities necessary for public service

Criteria ~ rules ~ mitigating impact of facility

(1)

A utility facility established under [ORS 215.213 \(Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993\)](#) (1)(c)(A) or [215.283 \(Uses permitted in exclusive farm use zones in nonmarginal lands counties\)](#) (1)(c)(A) is necessary for public service if the facility must be sited in an exclusive farm use zone in order to provide the service.

(2)

To demonstrate that a utility facility is necessary, an applicant for approval under [ORS 215.213 \(Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993\)](#) (1)(c)(A) or [215.283 \(Uses permitted in exclusive farm use zones in nonmarginal lands counties\)](#) (1)(c)(A) must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

(a)

Technical and engineering feasibility;

(b)

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

(c)

Lack of available urban and nonresource lands;

(d)

Availability of existing rights of way;

(e)

Public health and safety; and

(f)

Other requirements of state or federal agencies.

(3)

Costs associated with any of the factors listed in subsection (2) of this section may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities. The Land Conservation and Development Commission shall determine by rule how land costs may be considered when evaluating the siting of utility facilities that are not substantially similar.

(4)

The owner of a utility facility approved under [ORS 215.213 \(Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993\)](#) (1)(c)(A) or [215.283 \(Uses permitted in exclusive farm use zones in nonmarginal lands counties\)](#) (1)(c)(A) shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this section shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

(5)

The governing body of the county or its designee shall impose clear and objective conditions on an application for utility facility siting under [ORS 215.213 \(Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993\)](#) (1)(c)(A) or [215.283 \(Uses permitted in exclusive farm use zones in nonmarginal lands counties\)](#) (1)(c)(A) to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands.

Exhibit 4

USFS Preference for Designated Utility Corridors Exhibit K B2H Application for Site Certificate K-24

... the WW LRMP provides that “[w]hen applications for rights-of-way for utilities are received, the Forest’s first priority will be to utilize residual capacity in existing rights-of-way.

Exhibit 5 IPC Siting Criteria: IPC/602 Colburn/16

2010 Siting Study:

2.2.1 Constraints

Agriculture Areas

High Desert Areas

Mountainous Areas

Land Use Zones Statewide Planning Goal 3 (Agriculture EFU)

Site specific constraints

 Wind generation facilities

 NWSTF (Boardman)

 Historic (ex, OR National Historic Trail)

 Habitat for protected species (ex. WAGS)

2.2.2 Opportunities

Resources

 Physical characteristics

 Regulatory designations

Existing transportation corridors

Pipelines

Electric transmission lines

Agency-designated energy corridors

Regional Analysis IPC/602 Colburn/28

Permitting analysis

Construction analysis

 Length of route

 Slope of terrain

 Number of angle structures

 Proximity of major roads

 Tree clearing

 Access roads

 Stream crossings

Mitigation Cost Analysis IPC/602 Colburn/31

Habitat mitigation policy (high, moderate or low cost)

Maximize use of existing corridors (parallel existing Right of Ways)

Avoid or minimize impacts on resources required by law (ex. Mitigate sage grouse)

Avoid or minimize impacts on resources for environmental protection not regulated by law

Minimize need for plan amendment

Avoid or minimizes proximity to private residences

Minimize use of private lands

If multiple alternatives meet criteria, the agency preferred alternative would be the alternative that also minimizes technical constraints, construction, operational maintenance expense and/or time.

Exhibit 6 B2H Application for Site Certificate Exhibit K Page K-29

4.1.5 Mitigation and Minimization of Impacts to Farmland and Agricultural Practices

ORS 215.275(5): The governing body of the county or its designee shall impose clear and objective conditions on an application for utility facility siting under ORS 215.213(1)(c)(A) or 215.283(1)(c)(A) **to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands.**

To comply with the requirements of ORS 215.275(5), the Agricultural Assessment proposes specific measures to avoid, mitigate, and minimize impacts to agricultural practices and uses on lands within the Site Boundary. These measures are based upon the assessment of all agricultural crops and practices on lands within the analysis area of the Agricultural Assessment and are similar to the restoration measures described above. To the extent required in order to **“prevent a significant change in accepted farm practices or increase in the cost of farm practices on surrounding farmlands,”** IPC will implement the measures described in the Agricultural Lands Assessment, Attachment K-1, Section 7.0 to mitigate and minimize impacts to agricultural practices. The minimization and mitigation measures described in detail in the Agricultural Assessment include the following general provisions:

- Coordination with Landowners—IPC will approach each landowner to engage in discussions regarding minimization and mitigation measures for impacts on privately owned agricultural lands.
- IPC Agricultural Specialists or Qualified Contractors—Unless otherwise specified, IPC may use its own qualified agricultural specialists or will retain qualified contractors to execute mitigation actions. However, IPC may be willing to negotiate mitigation actions to be performed by the landowner or landowner’s designee or others.
- Agricultural Monitor—During construction and initial restoration, IPC will designate an inspector to serve as an Agricultural Monitor. IPC may use a qualified member of its staff or retain a qualified contract to serve as the Agricultural Monitor. The Agricultural Monitor will provide technical assistance to construction managers, other inspectors, and construction inspectors to facilitate the effective implementation of agricultural mitigation measures.
- Contact Information—Prior to construction, IPC will provide each landowner and landowner’s designee with a telephone number and address that can be used to contact

IPC regarding the agricultural impact mitigation work that is performed on the landowner's property. IPC will respond to Project inquiries and correspondence within a reasonable time.

- ROW Safety—IPC will communicate with landowners and designees regarding safe practices while working around transmission lines.

Additionally, IPC proposes the following specific minimization and mitigation measures described in detail in the Agricultural Assessment include the following general provisions:

- Tower Placement—IPC's engineering, land rights, and permitting staff will work together with landowners to address tower placement issues. **Where feasible, IPC will avoid sensitive areas such as those with the potential to interrupt irrigation equipment and other areas identified by landowners.**

APPLICATION FOR SITE CERTIFICATE Page K-30

- Construction Scheduling—Landowners will be contacted as soon as possible once construction time frames have been developed. IPC will consult with landowners when planning the construction schedule to minimize impacts on soils, crops, harvesting, and other activities.

- Drainage Tiles—IPC will make every attempt to locate and avoid impacts to drainage tiles. In the event that drainage tiles are damaged or adversely impacted by construction of the Project, IPC will repair affected drainage tiles as quickly as possible. IPC will install additional tile and other drainage measures as are necessary to properly drain wet areas in the ROW caused by construction of the Project. Additional standards and policies regarding drainage tiles are set forth in further detail in the Agricultural Lands Assessment, Attachment K-1, Sections 7.3.4 and 7.3.5.

- Construction Debris—Project-related construction debris and material will be removed from the landowner's property at IPC's cost. Such material would include excess construction materials or debris generated by the construction crews.

- Compaction—Agricultural land that has been compacted will be restored to its original condition using appropriate tillage equipment during suitable weather conditions.

- Rutted land—Rutted lands will be restored to preconstruction condition as much as practical.

- Soil conservation practices—Terraces and grassed waterways damaged by the Project construction will be restored as nearly as possible to their preconstruction condition.

- Weed Control—**On permanent ROW areas where IPC has control of the surface use of the land such as towers, access roads, or stations, IPC will provide weed control in a manner that does not allow the spread of weeds to adjacent lands used for agriculture (see Exhibit P1, Attachment P1-5, Noxious Weed Plan).**

- Equipment cleaning—Contractors will be required to thoroughly clean construction equipment with high-pressure washing prior to the initial move of those units to the general Project Site Boundary (see Exhibit P1, Attachment P1-5, Noxious Weed Plan).

- Certified Seed—When available, IPC will use Oregon-certified seed or equivalent for revegetation.

- Irrigation Systems—If Project construction or temporary work areas intersect a spray irrigation system, IPC will coordinate with the landowner and/or landowner's designee regarding the amount of time that the irrigation system will be unavailable and take appropriate and mutually agreeable steps to limit the interruption and/or implement temporary measures to allow irrigation to continue. To avoid damaging the pipes or creating difficult access to the irrigation lines for maintenance, IPC will work with

landowners to identify the location of underground water lines to avoid siting the towers above or adjacent to buried lines. If irrigation lines or access to those lines for maintenance are adversely affected by the construction of the Project, IPC will restore the function of the irrigation lines, including the relocation, reconfiguration, and replacement of existing lines.

- Ingress and Egress Routes—IPC will seek a mutually acceptable agreement with the landowner on the proposed path(s) that will be used for entering and leaving the construction area prior to initiation of construction.
- Access Ramps or Pads—Where access ramps or pads from a road or highway to the construction area are required in agricultural fields, IPC will place a durable geotextile matting over the soil surface prior to the installation of temporary rock access fill material. Rock and geotextile matting will be completely removed upon completion of the

APPLICATION FOR SITE CERTIFICATE Page K-31

Project, unless otherwise agreed upon by a mutually acceptable agreement with the landowner.

- Temporary Roads—The location of temporary roads to be used for construction purposes will be agreed upon with the landowner and/or landowner's designee. Upon abandonment, temporary roads may be left intact through mutual agreement of the landowner and IPC. If a temporary road is to be removed, the agricultural land upon which it is constructed will be returned to its previous use and restored as nearly as possible to the condition that existed prior to construction.

- Topsoil Separation and Storage—To preserve productive soils, topsoil on agricultural land will be removed and stored separately prior to construction of temporary access roads, towers, and possibly specific locations within staging areas (see Exhibit I, Attachment I-3, Erosion and Sediment Control Plan, and Exhibit P1, Attachment P1-3, Reclamation and Revegetation Plan).

- Excess Rock—Any excess surface rock brought to the construction area by IPC for construction will be completely removed from agricultural land following the completion of all site restoration activities, unless otherwise specified in an agreement with the landowner.

- Construction in Wet Conditions—On excessively wet soils, IPC will restrict certain construction activities so that soil productivity is preserved or restored. As feasible, IPC will schedule construction activities to avoid the months of greatest precipitation. Damages that result from construction that occurs in wet conditions will be restored as determined by the Agricultural Monitor described in Section 7.0 of the Agricultural Assessment.

- Dust Control—IPC will control excessive dust generated during construction by controlling vehicle speed, by wetting the construction area, or by other means, and will coordinate with farm operators to provide adequate dust control in areas where specialty crops are susceptible to damage from dust.

- Prevention of Soil Erosion—IPC will implement erosion prevention and sediment control measures during construction in accordance with all applicable permit conditions and coordinate with the local Natural Resources Conservation Service soil conservation experts. IPC will follow best management practices set forth in approved stormwater and erosion control plans for the Project, which may include applying temporary mulch in the event of a seasonal shutdown, if construction or restoration activity is interrupted or delayed for an extended period, or if permanent seeding of non-cultivated areas is not

completed during the recommended seeding period prior to the winter season.

- Reseeding—Following construction, cultivated agricultural land will generally be reseeded or replanted by the landowner. IPC will reseed and mulch non-cultivated agricultural land such as pastures and perennial grass hayfields in consultation with landowners, or will make arrangements with landowners who prefer to conduct the reseeded of these areas. IPC will reseed and mulch non-agricultural land in accordance with the Vegetation Management Plan found in Exhibit P1.

- Induced Voltage—Very rarely, barbed wire or other metal fences paralleling transmission lines may acquire induced voltage. Electric fences around livestock enclosures may also acquire an increase in voltage levels. Cathodic protection may be required to prevent excessive corrosion of irrigation distribution lines as a result of induced voltage. IPC will assist landowners in determining the best ways to safely ground permanent or temporary fences if problems arise and will compensate landowners for any additional

APPLICATION FOR SITE CERTIFICATE Page K-32

materials needed to properly ground or protect fences or irrigation equipment from induced voltage.

- Livestock Operations—IPC will work with the landowner or landowner’s designee to coordinate and schedule construction activities to minimize impacts to livestock operations. The Agricultural Monitor will ensure that construction activities follow guidelines established with the landowner and/or landowner’s designee to protect livestock and livestock operations.

- Livestock-Related Infrastructure—Any fences, gates, cattle guards, or corrals damaged by construction will be repaired or replaced. IPC will also construct temporary fences and gates during construction, as necessary.

- Temporary Relocation of Livestock—In the event livestock must be relocated temporarily, or supplemental feed is necessary, IPC will reimburse the reasonable cost incurred for the transport of livestock, acquisition of temporary pasture land and/or additional supplemental feed during construction and restoration activities.

To ensure compliance with the Agricultural Assessment, IPC proposes that the Council include the following conditions in the site certificate:

Land Use Condition 1: Prior to construction, the certificate holder shall finalize, and submit to the department for its approval, a final Agricultural Assessment.

The protective measures described in the draft Agricultural Assessment in ASC Exhibit K, Attachment K-1, shall be included and implemented as part of the final Agricultural Assessment, unless otherwise approved by the department.

Land Use Condition 15: During construction, the certificate holder shall conduct all work in compliance with the final Agricultural Assessment referenced in Land Use Condition 1.

For these reasons, IPC demonstrates that ORS 215.275(5) is satisfied.

4.1.6 Conclusions

The foregoing discussion demonstrates the Project’s compliance with ORS 215.283(1)(c)(A) and ORS 215.275. The Project is a utility facility necessary for public service because it must be sited in an EFU zone: (i) due to its locational dependency; (ii) a lack of available urban and nonresource lands to site the Project on; and (iii) in order to take advantage of existing ROWs. IPC has completed a survey of existing conditions and uses of the agricultural lands within the Project’s Site Boundary and, through implementation of the measures in the Agricultural Assessment, will minimize and mitigate the Project’s impacts on those agricultural lands.

4.2 Consulting Requirement

ORS 215.276: (1) As used in this section: (a) “Consult” means to make an effort to contact for purpose of notifying the record owner of the opportunity to meet. (b) “High-value farmland” has the meaning given that term in ORS 195.300. (c) “Transmission line” means a linear utility facility by which a utility provider transfers the utility product in bulk from a point of origin or generation, or between transfer stations, to the point at which the utility product is transferred to distribution lines for delivery to end users. (2) If the criteria described in ORS 215.275 for siting a utility facility on land zoned for exclusive farm use are met for a utility facility that is a transmission line, the utility provider shall, after the route is approved by the siting authorities and before construction of the transmission line begins, consult the record owner of high-value farmland in the planned route for the purpose of locating and Boardman to Hemingway Transmission Line Project Exhibit K

APPLICATION FOR SITE CERTIFICATE Page K-33

constructing the transmission line in a manner that minimizes the impact on farming operations on high-value farmland. If the record owner does not respond within two weeks after the first documented effort to consult the record owner, the utility provider shall notify the record owner by certified mail of the opportunity to consult. If the record owner does not respond within two weeks after the certified mail is sent, the utility provider has satisfied the provider’s obligation to consult. (3) The requirement to consult under this section is in addition to and not in lieu of any other legally required consultation process.

Following issuance of the site certificate, IPC will consult with landowners of high-value farmland regarding micrositing of the transmission line as required by ORS 215.276(2) (see also Attachment K-1, Agricultural Lands Assessment). As a practical matter, IPC will consult with all landowners regarding micrositing of the Project.

Exhibit 7 Myers & Morter cropland under the proposed B2H route at MP 25.3 to 27.1 is considered Prime Farmland according to the NRCS (Natural Resources Conservation Service) websoilsurvey.nrcs.usda.gov page 1

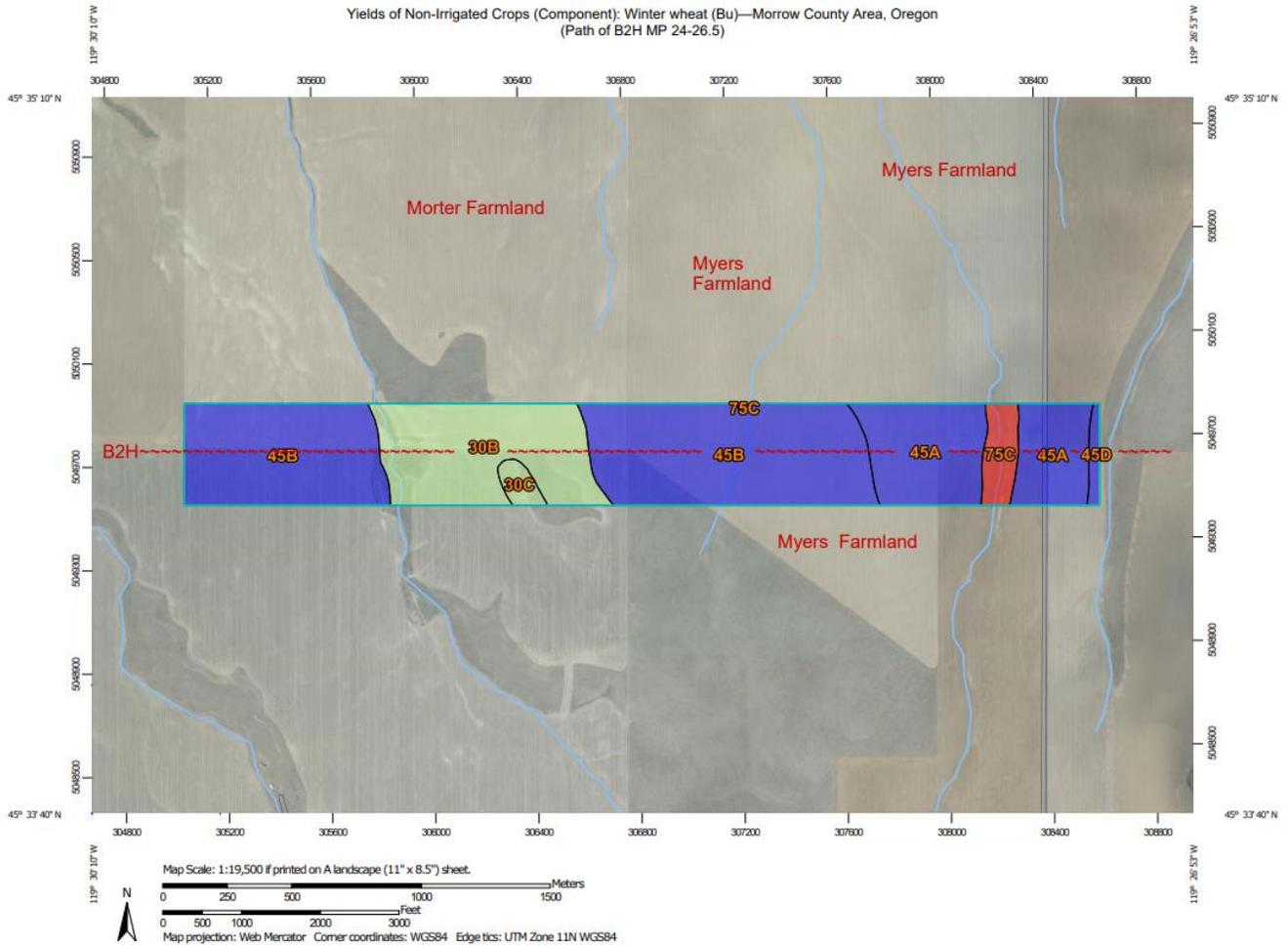
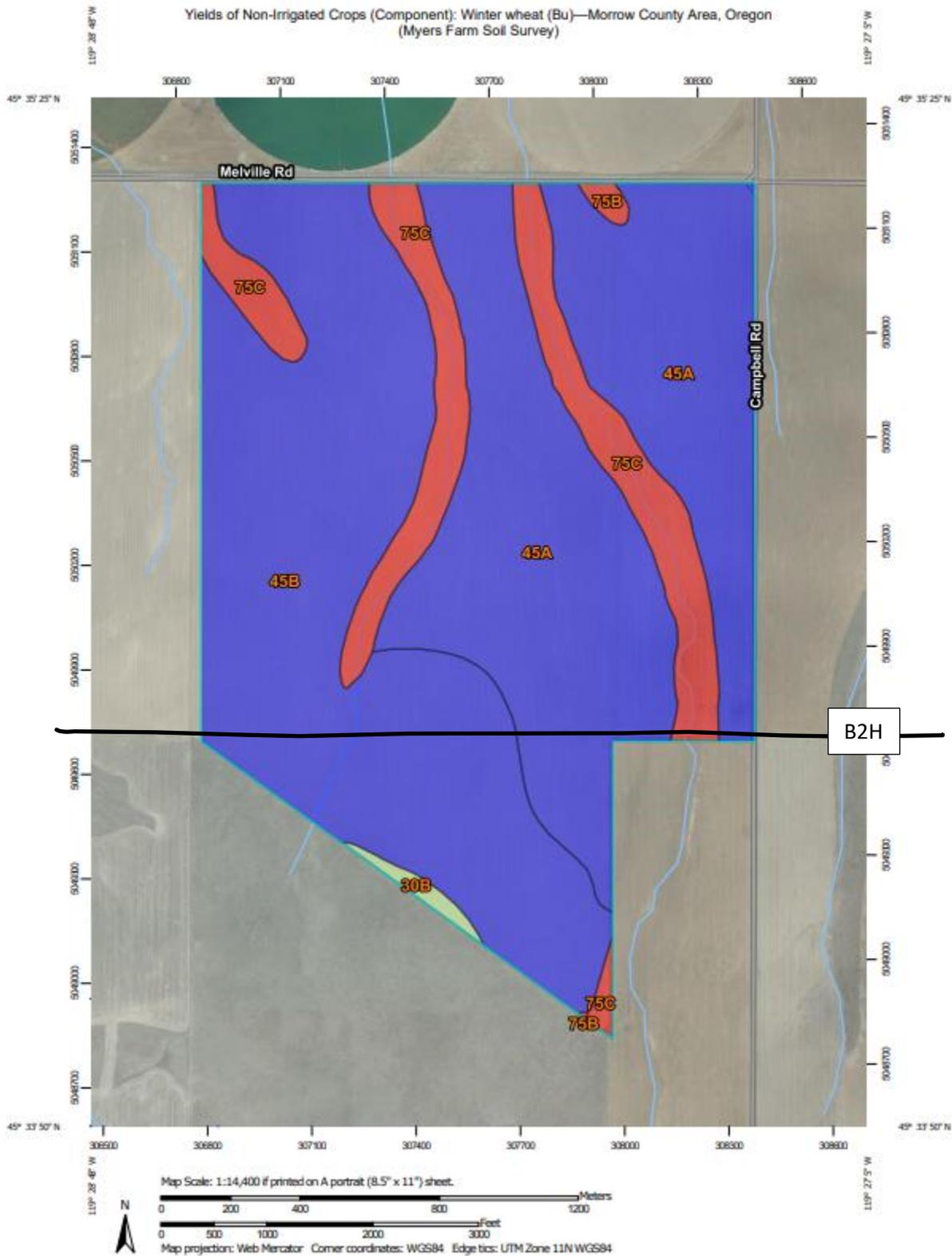


Exhibit 8 Myers Farm Soil Survey Map websoilsurvey.nrcs.usda.gov page 1



MAP LEGEND

- Area of Interest (AOI)**
 Area of Interest (AOI)
- Background**
 Aerial Photography
- Soils**
- Soil Rating Polygons**
-  <= 25.00
 -  > 25.00 and <= 30.00
 -  > 30.00 and <= 35.00
 -  Not rated or not available
- Soil Rating Lines**
-  <= 25.00
 -  > 25.00 and <= 30.00
 -  > 30.00 and <= 35.00
 -  Not rated or not available
- Soil Rating Points**
-  <= 25.00
 -  > 25.00 and <= 30.00
 -  > 30.00 and <= 35.00
 -  Not rated or not available
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Morrow County Area, Oregon
 Survey Area Data: Version 9, Sep 14, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 3, 2020—Jun 26, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Yields of Non-Irrigated Crops (Component): Winter wheat (Bu)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
30B	Mikkalo silt loam, 2 to 7 percent slopes	30.00	4.5	0.6%
45A	Ritzville silt loam, 0 to 2 percent slopes	35.00	322.5	42.5%
45B	Ritzville silt loam, 2 to 7 percent slopes	35.00	330.0	43.5%
75B	Willis silt loam, 2 to 5 percent slopes	25.00	2.8	0.4%
75C	Willis silt loam, 5 to 12 percent slopes	25.00	98.8	13.0%
Totals for Area of Interest			758.5	100.0%

Exhibit 9 Soil Data Access (SDA) Prime and other Important Farmlands

<https://www.nrcs.usda.gov/publications>

Soil Data Access (SDA) Prime and other Important Farmlands

An SDA-populated select list is used to pick a state and SSA which enables creation of a "Prime and other Important Farmlands" based upon those selections. The data is not static; it hits Soil Data Access Live. To reset the table hit F5 on the keyboard. Once a survey is selected and table appears, if a new survey is selected it will append to the table at the bottom. [For more information about the table.](#)

Oregon

selected stateId = OR

Morrow County Area, Oregon

selected SSA areasymbol = OR648

State_Sym	Area_Symbol	Area_Name	mukey	Mapunit_SYM	Mapunit_Name	Farm_Class
OR	OR648	Morrow County Area, Oregon	61334	44B	Ritzville very fine sandy loam, 2 to 7 percent slopes	Prime farmland if irrigated
OR	OR648	Morrow County Area, Oregon	61335	44C	Ritzville very fine sandy loam, 7 to 12 percent slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61336	44D	Ritzville very fine sandy loam, 12 to 25 percent slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61337	45A	Ritzville silt loam, 0 to 2 percent slopes	Prime farmland if irrigated
OR	OR648	Morrow County Area, Oregon	61338	45B	Ritzville silt loam, 2 to 7 percent slopes	Prime farmland if irrigated
OR	OR648	Morrow County Area, Oregon	61339	45C	Ritzville silt loam, 7 to 12 percent slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61340	45D	Ritzville silt loam, 12 to 20 percent slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61341	46E	Ritzville silt loam, 20 to 40 percent north slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61342	47E	Ritzville silt loam, 20 to 40 percent south slopes	Farmland of statewide importance
OR	OR648	Morrow County Area, Oregon	61309	30B	Mikkalo silt loam, 2 to 7 percent slopes	Prime farmland if irrigated

Exhibit 10 Prime Farmland is characterized by erodibility or HEL determination. In the vicinity of B2H, Myers Farmland is over 90% Not Highly Erodible Land, indicating it should be used exclusively for farm use.



HEL Determination

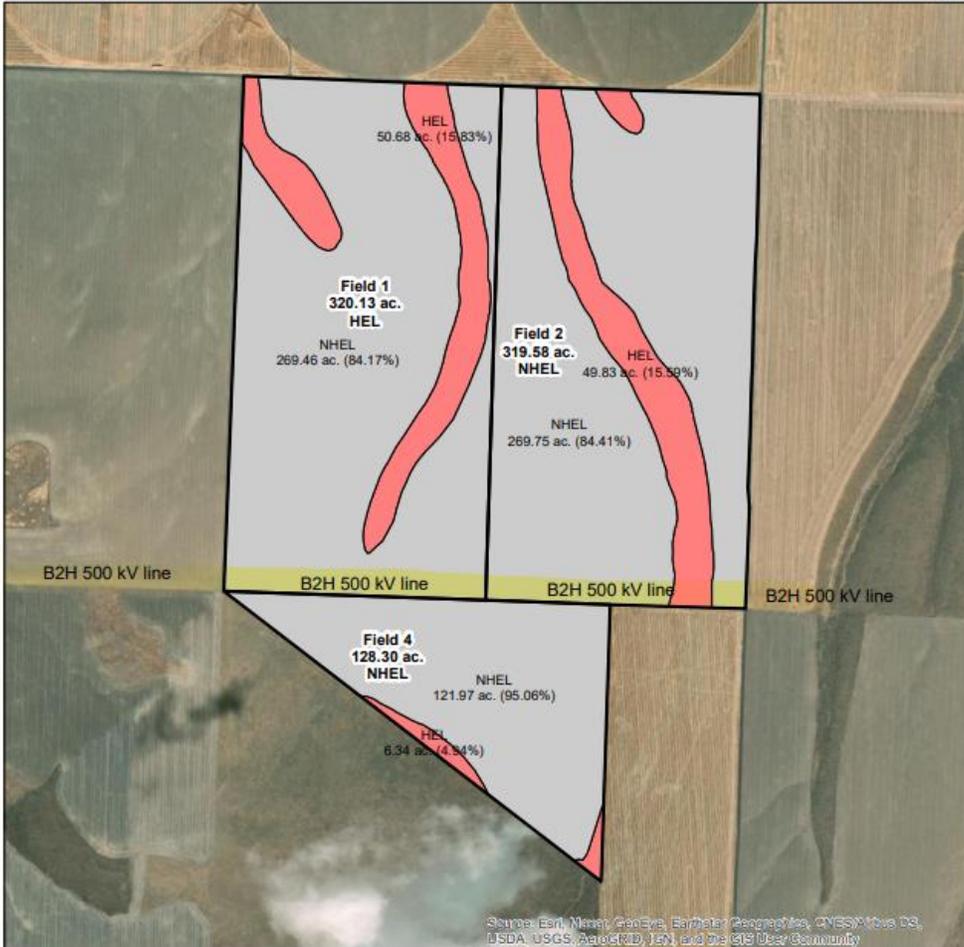
4/10/2023

Farm: 206

Tract: 244

Customer(s): Sam Myers
 County: Morrow, OR
 Location: Heppner, OR

Assisted by: Keira Klein
 USDA-NRCS
 Service Center: Heppner



Source: Esri, Maxar, GeoEye, Earthstar, GeoEye, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

- Field Determination
- HEL
- PHEL
- NHEL

Prepared with assistance from USDA-Natural Resources Conservation Service



An Equal Opportunity Provider, Employer, and Lender

Exhibit 11 NRCS Prime and other Important Farmlands (usda.gov)

Report Metadata: Soil Data Access Prime and other Important Farmlands

Area_Symbol: A symbol that uniquely identifies a single occurrence of a particular type of area (e.g. Dane Co., Wisconsin is WI025).

Area_Name: The name given to the specified geographic area.

mukey: A non-connotative string of characters used to uniquely identify a record in the Mapunit table.

Mapunit_SYM: The symbol used to uniquely identify the soil mapunit in the soil survey.

Mapunit_Name: Correlated name of the mapunit (recommended name or field name for surveys in progress).

Prime and other Important Farmlands: Identification of map units as prime farmland, farmland of statewide importance, or farmland of local importance.

Prime and other Important Farmlands Description:

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

Prime farmland is of major importance in meeting the Nation's short- and long-range needs for food and fiber.

Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as

flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

Fire Analysis in Dryland Crop Systems

Exhibit 12

[Exhibit U - PublicServices \(oregon.gov\)](#)

Idaho Power September 2018; June 2020 (Modified by Oregon Department of Energy during ASC – PO Phase)

Sources of Ignition: Construction

The risk of fire danger during transmission line construction is related to smoking, refueling activities, operating vehicles and other equipment off roadways, welding activities, and the use of explosive materials and flammable liquids. During operation, the risk of fire is primarily from vehicles and maintenance activities that require welding. Additionally, weather events that affect the transmission line could result in the transmission line igniting a fire. Page 1

The risk of fire in the construction phase is not taking into consideration the seasonal agriculture operation and seasonal wildfire risk in which it is operating. (ex. dry, chem fallow field or fully ripened wheat field that is highly flammable along the right of way where construction activities exist). In the case of Myers and Morter farm where the B2H line has been sited, the right of way is in the middle of the field therefore, there are no natural barriers or roads to create a fire break other than the constructed right of way. The alternate route places the line out of cropland and into lower value soils and closer to existing roads. OAR 860-300-0030 (1)(a)(B)

Sources of Ignition: Right of Way/Access Roads

3.1 Operation During transmission line operation, the risk of fire danger is minimal. The primary causes of fire on the ROW result from unauthorized entry by individuals for recreational purposes and from fires started outside the ROW. In the latter case, authorities can use the ROW as a potential firebreak or point of attack. During transmission line operation, access to the ROW will be restricted in accordance with jurisdictional agency or landowner requirements to minimize recreational use of the ROW. Page 5.5

In the case of a ROW placed in the middle of cropland, where no fences exist, gates to ROW roads would be useless. Furthermore, there is little information to determine if a ROW will retain an access road for future operational maintenance or if the land is returned to farming without a road.

Sources of Ignition: Transmission Line Ignition

In the current route B2H travels through Morrow County, there is documented wind speeds that can affect the integrity of the transmission line. Because the towers are designed to withstand 120mph and the lines to withstand 100mph, the result in a high wind event would indicate that the line would fail or break before the tower would fail. This characterization would be evidence of an opportunity for ignition.

Exhibit 13 IDAHO POWER COMPANY SURREBUTTAL TESTIMONY OF JOSEPH STIPPEL APRIL 7, 2023

B2H is designed with a wind loading of 120 mph on the lattice towers and 100 mph loading in wire... Idaho Power/1900 Stippel/3

Exhibit 12 cont. *...transmission line protection and control systems will be incorporated into the system and are designed to detect faults (such as arcing from debris contacting the line) and will rapidly shut off power flow (in 1/60th to 3/60th of a second) if arcing is detected. Page 7*

Despite the fault detection systems in place, a point of ignition is still present.

Sources of Ignition: Other

The variety of ignitions not caused by B2H in operations can be exacerbated by the line because while the line is energized, fire suppression is dangerous and must be delayed in order for authorities to request a PSPS (Public Safety Power Shutoff). This delay in time gives fire freedom to progress and expand.

Exhibit 12 cont. *3.1 A contact number directly to Idaho Power's 24/7 dispatch center will be provided to all necessary agencies for notification purposes. Upon being notified of a fire, Idaho Power dispatch will gather as much information as possible and immediately dispatches appropriate personnel to monitor the fire and/or coordinate with onsite emergency agencies. Once onsite, and if requested, Idaho Power personnel will confirm facilities to be removed from service for safety of fire personnel and communicates this back to Idaho Power dispatch. Idaho Power dispatch then removes the line from service, relaying that information to the Idaho Power onsite personnel, who in turn communicates the condition to onsite emergency agencies. Response time will vary, based on initial notification times to Idaho Power dispatch. Once onsite, Idaho Power personnel requesting a line outage for safety concerns can expect a line outage within a few minutes. The line would then be considered unavailable to return to service until onsite Idaho Power personnel are able to verify with onsite emergency agencies that all personnel and equipment are no longer in danger of electrical contact.*

Exhibit 14 Examples of fires under High voltage power lines. Sherman County November 2002 Coordinates listed in bottom left of image. Two transmission lines along pink line.



Exhibit 15 Sherman County, Date unknown, Coordinates from Assessors Office Transmission Line in Green



Exhibit 16 Sherman County, Date unknown, Coordinates from Assessors Office
Transmission line in red

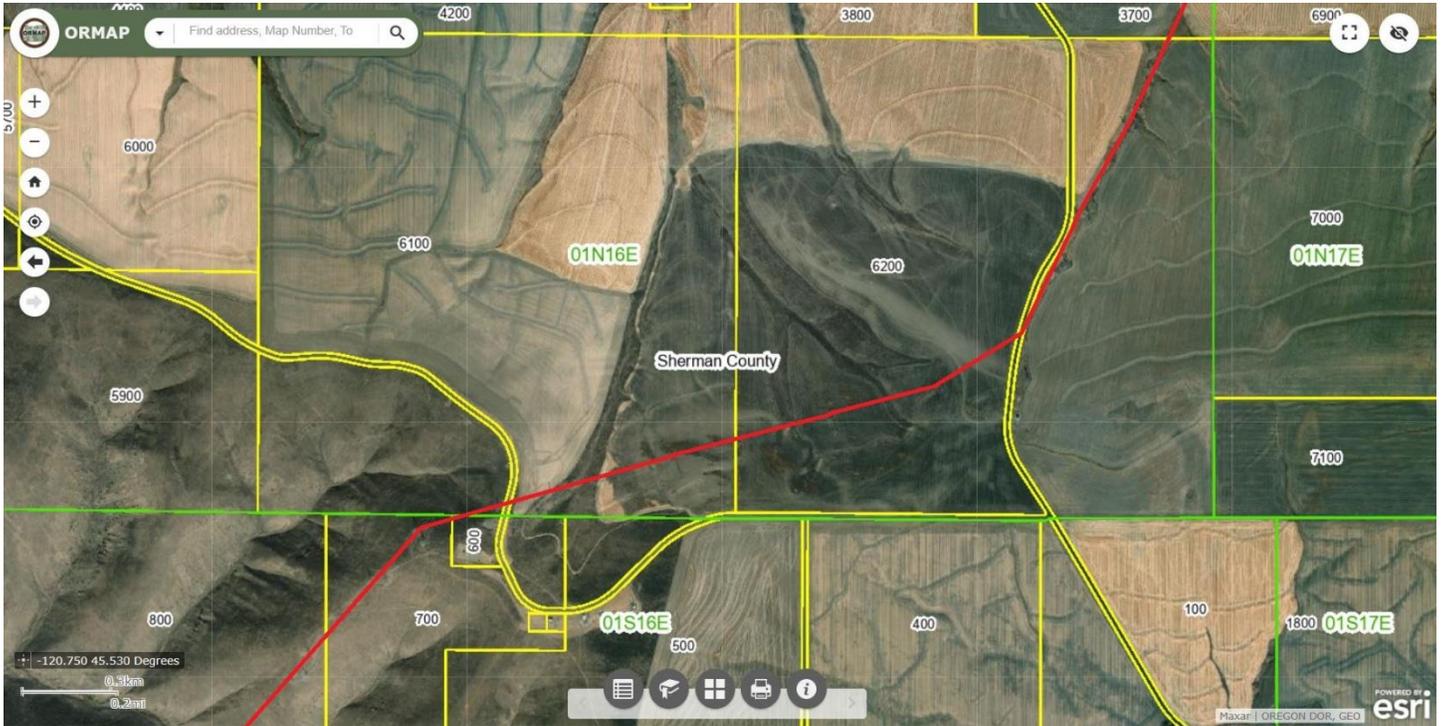


Exhibit 17 Morter Cropland Fire Image from 2013 fire ignition undetermined. In reference to Letter below.

Location: 45°31'55.05 N, 119°29'05.54 W (2.5 miles south of proposed route)



Exhibit 18 Docket: PCN 5 Opening Testimony Sam Myers Date: January 17, 2023 Sam Myers/100 Sam Myers/Page 4-5

“To Whom It May Concern: Below is the account of the effect and subsequent aftermath that fire had on soil used for wheat production on my farm in Morrow County, Oregon and is an example of the long term danger posed by fire risk. In August of 2012 there was a fire that occurred on approximately 10 acres of a field that I own and that I have farmed since 1985. The fire was due to an ignition caused by a passing car on a nearby roadway. As previously mentioned the fire burned the remaining residue that was left after harvest (4-5 weeks prior to fire, the field was harvested). Due to the protection of the residue being removed and the heat of the fire the soil was subsequently damaged by reduction in both the lack of the conservation action that is normally due to residue coverage, and the heat killing the microbial population that lives in the top soil. In addition the damaged acres were more subject to noxious weed populations also as a result of the removal of the residue. As a result of these conditions the next crop year produced approximately 21% less crop yield than comparable acres. The second crop year the yield was approximately 14% less. The third crop year the yield was approximately 6% less. The fourth crop year the soil was almost back to “normal”, however the noxious weeds were still present and not fully in control due multiple crop years where the crop failed to thrive. Between the loss of crop production as well as the increase cost of weed control these acres were farmed at a loss for a total of 8 years. Had this been a wide spread event on more than just small acreage, such an event would be mortally damaging to the livelihood and sustainability to dry land wheat farm. Thanks to new conservation practices and no till or minimum till farming the residue left on the ground after a crop is harvested not only serves as a barrier to wind and rain erosion (protecting the top soil) but it also acts as a natural barrier to noxious weed populations. The protection of this residue is of paramount importance to a sustainable farming system. Putting this resource at risk is putting valuable land and resources in jeopardy which will have a chain reaction on the ecosystem as a whole.”

Direct Email from Roger Morter, 2021

Exhibit 19 John E. Myers Testimony - March 18, 2023

PCN 5 Intervenor Cross-answering and Rebuttal Testimony Sam Myers Date: March 20, 2023 Page

For many years we have battled rye in our wheat fields. We were eliminating the problem by pulling or cutting / packing the heads out of the field in sacks. But one spot we just could not control and fire seemed to be the only solution. We were using a crop / fallow cropping system and during the 1981 wheat harvest of Township 1 North, Range 27 East - Sections 17 and 8, we decided to combine / harvest the wheat up to the edge of the rye patch which was near the Southwest corner of section 8. After harvest we had a 5+ acre patch of dense rye with stunted wheat that was ringed with two passes of our disc plow. On the morning of August 11, 1981, with a gentle southerly flow of air we ringed the patch with fire. We used the water truck to control fire in the disced area through the next 3 or 4 hours. At this time we judged the operation a success.

- 1 year later (in a fallow condition) I noticed when rod weeding, a much finer soil texture which lifted very easily in the wind. Well of course, we burned all the straw which would have been incorporated into the soil. That fall we seeded wheat, as usual.
- 2 years after the burn, now at harvest time, that burn patch had sparsely populated, half height, stunted wheat plants with shriveled kernels. With the microbes and organic matter destroyed in that soil, not even weeds grew! We had to admit the decision to burn was a mistake in that it destroyed many soil properties. Now we had to approach this soil MUCH differently, with limited tillage.
- 4 years after the burn the wheat population was better but still suffered half height, stunted plants. I believe we fertilized the entire field with anhydrous ammonia that following fallow year.
- 6 years after the burn we could tell the soil was healing. The wheat was yielding 70 - 75% of close-by wheat in the same field .

- The 8th year was much better. This semi arid region cannot produce yearly crops. Healing of our fire impacted soil can only be accomplished over 4 to 5 crop / fallow sequences, which even at the 10th year we could still see the distinct area of the fire. I spoke with Cascade Agronomics on March 6, 2023 and they have a “Screened Steer Manure” product that they apply on various soils with various conditions / requirements and replenishes microbes and organic matter. The Rep. recommended for a fire repair treatment, 10 tons per acre. The cost per acre of product, application and trucking the product to the field is \$436.50 per acre. These fire acres of which I testify are exactly under the proposed B2H transmission line at mile 25 - 26 in section 8, Township 1N Range 27E.

Respectfully Submitted, John E. Myers, Pres. Myers Farm Co., Inc



The above images illustrate proof that there are historical fires under 500kV transmission lines and in locations where the B2H route is proposed. Dryland wheat cropland is exceptionally flammable and should be protected ahead of rangelands and marginal lands because of its value to Oregon’s Agricultural Economy.

Exhibit 20 Mr. Madison’s Testimony in Final Order, Attachment 6 at 8844 of 10603:

I rebut Mr. Madison’s logic. He uses vague terms of “most likely result,” and “low-intensity fire would likely move quickly through the fields due to winds in that area, and low-intensity, fast moving fires do not cause significant damage to soils.” As his expert testimony may be correct in other locations, his argument lacks specificity, while the above testimonies provide actual detailed experiences in Soil destruction from fire.

Exhibit 21

Aerial Chemical application Crop

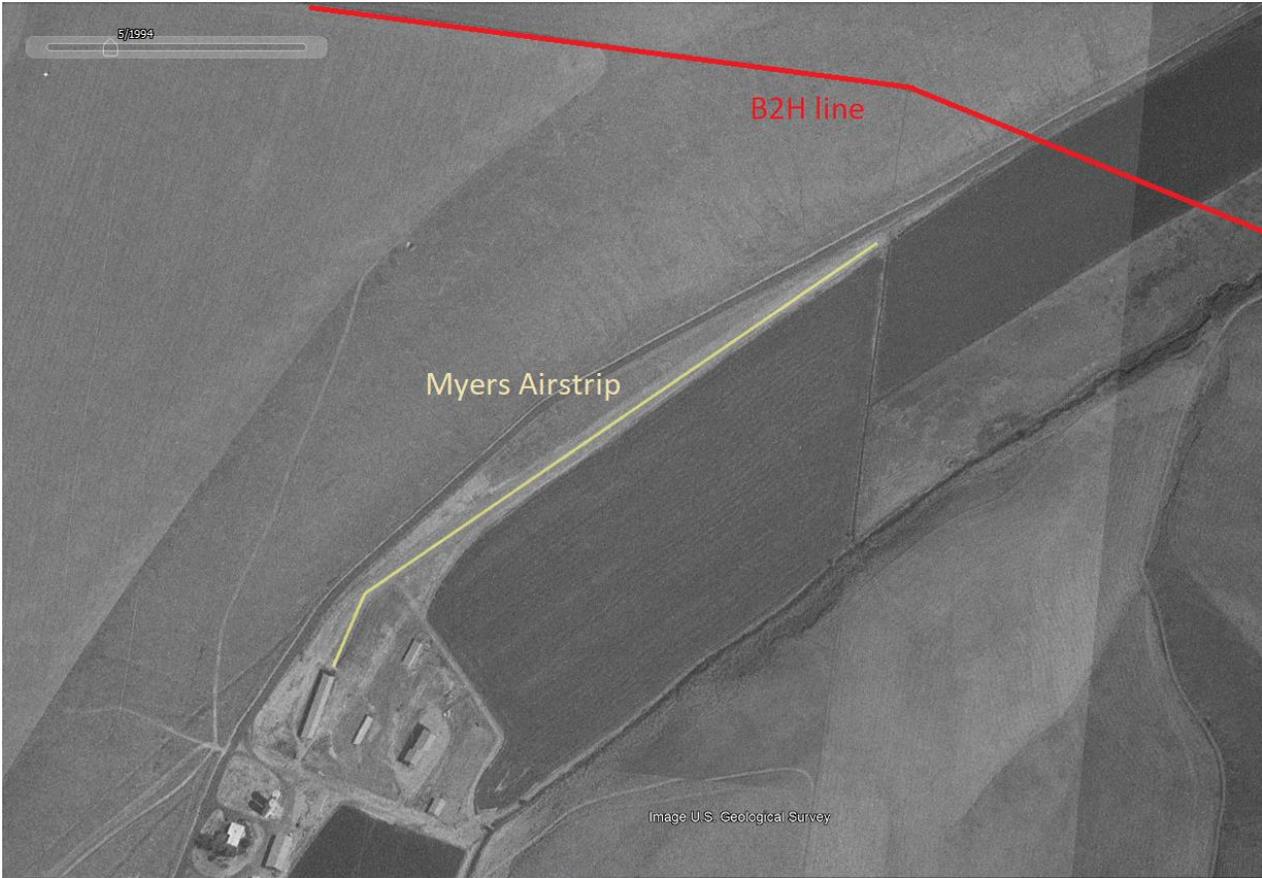
[Exhibit K -- Land Use \(oregon.gov\)](#)

Transmission lines located along the edges of fields, existing roadways, or natural boundaries, rather than through existing fields, will result in less risk to the applicator and more efficiency to the producer. Page 24

Tower Placement During Project design, IPC’s engineering, ROWs, and permitting staff will work with landowners to address tower placement, where feasible. Sensitive areas such as those with the potential to interrupt irrigation equipment and other areas identified by landowners will be avoided, where feasible. When the preliminary design is complete, the land rights agents will review the staked tower locations with landowners. In general, towers will be located along field boundaries. Placement in field headlands or in the middle of fields will be avoided to the maximum extent possible. Page 38

How does Idaho Power respond to the alternative solution of aerial chemical application by flying under the B2H transmission line?

Exhibit 22 Airstrip, Hangar & Plane Airstrips are to be avoided in transmission line routing considerations. B2H is in the flight path as planes approach for landing from the Northeast and takeoff occurs to the Northeast due to the gradual slope of the graded runway. Also see Intervenor Amended Cross-Answering and Rebuttal Testimony Sam Myers, March 20, 2023, Exhibit 3



Myers airstrip was graded in the 1970's and utilized by aerial Chemical applicators, a Charter carrier, neighbor Tom Currin, Wayne Seitz, Jerry Myers and Sam Myers. This runway is an unclassified landing field used in Myers agriculture operations.

Respectively requesting IPC to provide the engineering and survey efforts to relocate B2H using the Alternate Routes provided in:

Exhibit 23

Docket: PCN 5 Intervenor Amended Cross-Answering and Rebuttal Testimony Sam Myers Date: March 20, 2023 (In Full)

Exhibit 24 Myers Century Farm: National Registry of Historic Places Eligible

_Amended preliminary application for site certificate Exhibit S Page S-166

Also see: Intervenor Amended Cross-Answering and Rebuttal Testimony Sam Myers, March 20, 2023, Exhibit 4

Assigned Trinomial or Other ID	Cultural Resources Pedestrian Survey Temporary Resource #	Visual Assessment Temporary Resource #	Resource Type	NRHP Recommendation	Project Route(s)	Project Component
Benson Reservoir	4B2H-EK-31	N/A	Historic Site/Aboveground	Eligible (Criteria A and B); Not Eligible (Criteria C and D)	Proposed Route	Direct Analysis Area
CFR 1003 (Gekeler Farm)	N/A	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route, Morgan Lake Alternative	Visual Assessment analysis area
CFR 1064 (Vey Ranch)	N/A	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area
CFR 1093 (Thomson Myers Farm)	N/A	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area
CFR 1098 (Gilliland Farm)	N/A	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area
CFR 1169 (Muilenburg Farm)	N/A	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route, Morgan Lake Alternative	Visual Assessment analysis area
Chambeam Ditch	4B2H-EK-15	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area
Charles Brandt Blacksmith Shop	N/A	B2H-UN-178	Historic Site/Aboveground	Eligible (no further evaluation)	Proposed Route	Visual Assessment analysis area
Combs Creek Cabin	N/A	B2H-BA-332	Historic Site/Aboveground	Unevaluated	N/A	N/A ²
Corral Ditch	4B2H-EK-06	N/A	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area
Daly Wagon Road	N/A	B2H-UM-006	Historic Site/Aboveground	Eligible (Criteria A and C)	Proposed Route	Direct Analysis Area (Construction Footprint); Visual Assessment analysis area
Durkee School	N/A	B2H-BA-288	Historic Site/Aboveground	Eligible (Criterion A)	Proposed Route	Visual Assessment analysis area

Exhibit 25 IDAHO POWER COMPANY SURREBUTTAL TESTIMONY OF MITCH COLBURN APRIL 7, 2023 (Entirely)

Idaho Power/1800 Colburn/9- at 19 to Colburn/10 at 13. Micrositing in the ROW (in the center of a field) does not reduce the intensity and frequency of impacts as stated in

Exhibit 26 Letter from Roger Morter

April 11, 2023

To Whom it May Concern,

In regards to the proposed Hemingway to Boardman powerline, I am adamantly against this project in its current proposed route as I have written before. It is my sincere belief that this project has not been thoroughly researched and has been routed on EFU (Exclusive Farm Use) cropland without taking notice of available alternative routes. My Prime farmland is being crossed between B2H mileposts 22.2 to 25.3 (east-west from Sand Hollow to Myers Farm). There are no appropriate micro-siting options for this current proposed route in my field because it is in the center of my cropland. Furthermore, my aerial chemical applications are along the same North to South trajectory as with all my cultivation, seeding, harvesting and erosion prevention operations. The current location of this transmission line creates a significant change to my farming practices. I am very concerned that the access roads within my field will allow unauthorized entry by the public, and I am concerned about fire risks associated with operational maintenance and public access during the most flammable season, which is when my crops are at their peak value.

It has come to my attention that there are alternate routes proposed by Sam Myers that reroute the transmission line at Wheatridge Renewable Energy Facility or at Sand Hollow Canyon to connect with the Wheatridge Green Energy Corridor. I'm in favor of its relocation to border the west edge of my farmland along a portion of Sand Hollow and proceed south to the point on Spur Loop Road that intersects the Wheat Ridge Renewable Energy Facility East. Having shared the ROW (right of way) with Wheatridge, there are multiple opportunities to reconnect with the proposed route depending on least constraints.

I understand the Wheatland facility and corridors have been approved and that it is an accepted practice to co-locate transmission lines, especially when permitting is easier to accomplish and access roads are utilized by both utility and facility.

In closing, I ask that Oregon Public Utility Commission first consider the long-term costs to those affected, ahead of Idaho Power's cost of relocation, before considering the approval of B2H. If the line must be built, then at a minimum, require its location be primarily in the best interests and safety of Oregon citizens who will have to live and work under and beside it.

Respectfully Submitted,

Brian Morter

208-610-1910

brianmorter@gmail.com



Respectively submitted,

/s/ Wendy King