

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

PCN 5

IN THE MATTER OF IDAHO POWER GREG LARKIN'S RESPONSE TO
PETITION FOR CERTIFICATE OF IDAHO POWER'S OPENING
PUBLIC CONVENIENCE AND BRIEF
NECESSITY

Idaho Power's Opening Brief requesting a Certificate of Public Convenience and Necessity on a need for this transmission line contains multiple unsupported and faulty assumptions and statements.

The analysis of projected future need for energy is based on short term figures projected into a future where existing conditions will change dramatically.

Faulty Assumptions:

1. That new electric power needs will be produced, purchased and provided by electric utilities.

Reply Brief to Idaho Power Opening Comments 1

2. That an increase in customers equates to an increase in electric need without incorporating historical reductions in energy consumption by customers due to such things as legislation requiring stricter standards for energy efficient buildings, appliances and vehicles which reduce energy consumption by existing and new customers..
3. That Idaho Power can expand their need for renewable energy through reliance on increased energy production in other states.
4. That the increased costs of energy they provide due to increased purchases of transmission infrastructure will not result in an exodus of customers off the grid they are creating.
5. That costs avoided by Idaho Power are not resulting in costs being transferred to Oregon citizens and the state of Oregon.
6. That the amount of energy used by Idaho Power's existing customers will continue at current levels.
7. That the private and public sector will not embrace the use of small nuclear power and microgrids to obtain their energy.
8. That increased attacks and vulnerability of the grid will not drive the movement to local generation and use of electricity.

9. That the public resistance to large wind and solar sights will not drive local energy generation and use.

10. That the market costs for transmission of energy will become a larger and larger component of the cost of energy as the cost of wind and solar continue to decrease making it more economical to produce energy near its end users.

Idaho Power has based their requests for this project before EFSC and the Oregon Public Utilities Commission (OPUC) on narrow, past and current data. They understate or ignore the current and future changes in the energy market and developing new energy resources that are well documented in the news and funding being approved by the U.S. Department of Energy for such things as small nuclear generators.

Idaho Power has failed to provide the OPUC with final mitigation plans required to establish costs, safety and determine if the project is in the public interest. Page 54, second paragraph of Idaho Power's Opening Brief states that they have submitted final drafts of 19 of the mitigation plans required by EFSC to meet their standards including such critical ones as the Noxious Weed Plan and the Fire Prevention and Suppression Plan. The history of EFSC in supporting all actions proposed by Idaho Power make it very likely that these plans will be accepted with

little or no change. (Exhibit GL 1101, Pages 35-43 documents this as well as the details provided in Greg Larkin Response to PacifiCorp Opening Brief)

The final draft plans do not contain, but must contain the necessary details in order for the PUC to complete their independent evaluation regarding:

1. Whether the application and currently available mitigation plans provided for a CPCN contain information showing the development will meet PUC requirements regarding safety, costs and concerns regarding the public interest.
2. The application fails to provide details in order to determine the costs and responsibility the public will be required to assume. These costs can only be determined by identifying responsibility Idaho Power is assuming to address such things as noxious weeds and wildfire prevention and management.

Following is an example demonstrating why a CPCN should not be issued prior to the completion and submission of the final Mitigation Plans to allow the Oregon Public Utilities Commission to evaluate the request for a CPCN.

ANALYSIS OF FINAL DRAFT NOXIOUS WEED PLAN FAILURE TO COMPLY WITH OREGON STATUTES AND RESULTING

TRANSFERRANCE OF COSTS TO CONTROL NOXIOUS WEEDS TO
LANDOWNERS AND THE CITIZENS OF OREGON.

STATUTES REGARDING THIS ISSUE:

ORS 569.350 establishes the necessity of removal of noxious weeds..

Noxious weeds have become so thoroughly established and are spreading so rapidly on state, county and federally owned lands, as well as on property in individual ownership and in transition to county ownership through tax delinquency, that they hereby are **declared a menace to the public welfare.**

ORS 569.390 provides the legislatures requirements for Idaho Power as the occupant of the site of their transmission line to address noxious weeds and includes the requirement that regardless of county requirements, NO WEED DECLARED NOXIOUS SHALL BE PERMITTED TO PRODUCE SEED.

ORS 569.515 Provides the Oregon legislature findings regarding the impacts of a failure to monitor and remove noxious weeds:

- (1) Noxious weeds present a serious threat that **adversely affects industries vital to the Oregon economy**, including but not limited to the agriculture, forestry, fishing and tourism industries;
- (2) **Failure to control the spread of noxious weeds** in Oregon will reduce the productivity of Oregon industries and adversely affect marketing by those industries, **resulting in a loss of business and the loss of existing jobs**;
- (3) The use of aggressive measures to control the spread of noxious weeds will improve the actual and perceived quality of Oregon products and further the promotion and expansion of markets for those products;

The OPUC is directed in ORS 756.015 to make it's own investigation and determination regarding the issuance of a CPCN; ORS 756.040 to represent the customers and the public generally from "unjust and unreasonable extractions"; ORS 756.062(2) states that the OPUC will interpret laws liberally to promote the public welfare; and OAR 860-025-0035 requires determining the necessity, safety, practicability and justification in the public interest and OAR 860-025-

0030(2)(k)(A) identification of costs and benefits to customers, and citizens of Oregon.

IDAHO POWER OPENING BRIEF, Page 98, top of page stating that “Idaho Power’s Noxious Weed Plan will be adequate to control project-related noxious weeds, and thus, B2H will not result in additional noxious weed impacts that landowners will bear the cost of addressing.”

In her response to Greg Larkin, Question 71, Jessica Taylor states, “The Project will not result in any lost value of Oregon habitat, farm or forest lands resulting from noxious weeds.”

The following Reply Testimony documents that these statements are false.

Based upon Idaho Power’s statements that they had already submitted 19 mitigation plans, Irene Gilbert requested the most recent copy of Idaho Power’s Noxious Weed Plan . On May 24 , ODOE provided a copy of the most recent “final draft plan” for Noxious Weed Management. The response email stated that as of that date, none of the mitigation plans had been approved by EFSC.

There will be substantial public costs in the event that the OPUC issues a CPCN without requiring a noxious weed plan that requires compliance with state laws in ORS 569 in order to identify and evaluate public costs and public interest impacts.

Reply Brief to Idaho Power Opening Comments 7

The Oregon Public Utilities Commission requirement to determine costs and the impact to the public interest is not limited to only compliance with EFSC rules.

The OPUC must establish the actual costs to the developer, the landowner and the state to comply with all Oregon Statutes regarding the transmission line site. In instances where Idaho Power fails to comply with Oregon law, individual citizens or the public at large will either have to initiate legal action to compel them to meet the requirements or pay the costs. These costs must be included in either costs to Idaho Power for developing and maintaining the line or the costs to the public in the event that the CPCN allows the developer to initiate condemnation actions against landowners absent requiring them to comply with the law

IDAHO POWER'S NOXIOUS WEED PLAN PROVIDES AN EXAMPLE WHICH DEMONSTRATES A FAILURE OF THE APPLICANT TO DISCLOSE COSTS TO IDAHO POWER AND THE PUBLIC AND SUPPORTS THE NEED FOR THE OPUC TO REQUIRE RECEIPT OF FINAL MITIGATION PLANS PRIOR TO ISSUING A CPCN.

ORS 569.390 provides an exception to the need to obtain a declaration from the county court regarding a failure to comply with Oregon Noxious

weed statutes. It says: “except that **no weed declared noxious shall be permitted to produce seed.**”

Idaho Power states on Page 97 , Middle of the page in their Opening Brief that:

“EFSC’s standards do not require Idaho Power to control noxious weed infestations located outside of the right-of-way or that were present prior to construction of the Project.” They state further that ORS 569 obligations are “outside EFSC’s review”. While EFSC did not address the ORS 569 obligations, they represent a large cost to whomever is responsible for compliance and the increased noxious weeds that occur along transmission lines. If the developer is not going to be required by EFSC or the PUC to comply, then the costs must be shown as falling on the landowners, Oregon Citizens and Oregon agencies.

There are multiple conflicts between the EFSC requirements and the Oregon Statute requirements regarding Noxious Weeds. Some of them include:

1. None of the requirements of the Oregon State Noxious Weed laws provide instances when some areas of a site being occupied need not comply with the law.
2. Compliance with EFSC rules does not require compliance with Oregon laws requiring that no noxious weeds be allowed to go to seed.

3. EFSC does not require treatment in all areas being occupied, but rather, just where habitat is disturbed during activities by the occupier.
4. EFSC does not require treatment and management where infestations existed when property was obtained.
5. State law does not provide instances where the occupier is not responsible for noxious weeds based upon how they are brought to the site. (Such as by vehicles, wind, trespassers, water, wildlife, etc.) ,

THE OREGON PUBLIC UTILITIES COMMISSION MUST DETERMINE THE COSTS TO IDAHO POWER AND ALSO THE COSTS TO OREGON RATEPAYERS, LANDOWNERS AND ALL CITIZENS OF OREGON IN ORDER TO ESTABLISH THAT IT IS IN THE PUBLIC INTEREST TO ISSUE A CPCN.

1. In order to determine costs that are being assumed by Idaho Power and those being assumed by Oregon citizens and agencies the OPUC must have access to final mitigation plans which identify the costs that the developer

will be assuming to comply with required mitigation and also the costs that will be transferred to the public from impacts of the transmission line.

--On Pages 93 and 94 of Idaho Power's Opening Arguments they argue that since EFSC issued a Site Certificate absent completed plans, the PUC should also issue their CPCN absent mitigation plan completion. They provide statements regarding the fact that the Oregon Supreme Court allowed EFSC to issue a Site Certificate absent completed plans because "EFSC's governing statutes expressly allow EFSC to do so." The language is important here because the decision and Idaho Power's Brief clearly state that EFSC statutes allow them to issue a site certificate without requiring completed mitigation plans.

As noted by the developer, the Oregon Supreme Court decision stated that EFSC's statutes allowed EFSC to do so. The decision made no reference to granting this flexibility to the Oregon Public Utilities Commission. The OPUC must evaluate the issues of "cost" and "public interest", including costs to Oregon citizens (OAR 860-025-0035(1)(d), not compliance with EFSC rules.

Page 96-98 of Idaho Power's Opening Brief, Item 3.

Idaho Power states “...the **Noxious Weed Plan** was drafted to **demonstrate compliance with the standards that EFSC enforces**, which require the Company to control all noxious weeds located within the Project rights-of-way **resulting from Project-related construction or operation-related, surface-disturbing activities.**” They further state that “EFSC’s standards do not require Idaho Power to control noxious weed infestations located outside of the right-of-way or that were present prior to construction of the Project.” This conflicts with ORS 569.380 requiring “no weed declared noxious shall be permitted to produce seeds”. Costs of control of weeds in areas not being addressed by EFSC will be transferred to landowners and the public.

The language in the last paragraph of Page 97 is important. It states that the EFSC hearings officer decided in favor of Idaho Power on this issue. The hearings officer’s decision record is documented in Exhibit 1101 and being consistently against the public contested cases.

Economic impacts are defined in (Exhibit GL 404 entitled “Economic Impact From Selected Noxious Weeds in Oregon, Version 2.2 which was prepared for the Oregon Department of Agriculture by The Research Group, LLC, Corvallis, Oregon, December 2014) This report includes on Page II-10 the negative impacts

to Rangelands, Farmlands, Forestland , Wildlands and Wildlife of Noxious Weeds. Page III-6 provides a table of Estimated Oregon Noxious Weed Control Costs and indicates the costs do not vary much between different weed species. This report indicates that aerial delivery is the most reasonable method of spraying chemicals for weed control. In 2014 it could be as low as \$50 per acre. Where transmission lines mean that manual delivery must be used, the rate per acre is approximately \$1,000. The figures are from the Oregon Department of Agriculture and cooperating contractors. If the PUC is going to require Idaho Power to control noxious weeds on the entire site of the development, Idaho Power needs to include these costs in their budget. If not, they need to be identified as costs to landowners and Oregon citizens in determining cost and whether the development is in the public interest.

EFSC has no specific law regarding control of Noxious Weeds. The requirements are based upon the impacts that noxious weeds have on other statutes.. The PUC must consider whether the development complies with State Statutes and if Noxious Weeds will be controlled as required by statute as well as determining who is responsible for cost increases due to this development. The Plan must be reviewed by the PUC to complete their evaluation under OAR 860-025-0035 of whether or not to issue a CPCN. ,

The Noxious Weed Plan provided by ODOE is the most recent one. It contains multiple changes from the draft plan included in the Site Certificate and the one submitted to PUC for its review. I am attaching a separate file with the final draft plan provided by ODOE with this response argument. There can be no fair and full evaluation of whether or not the developer has documented the actual costs, or costs to the public absent seeing the final mitigation plans prior to the issuance of a CPCN.

The plan provides documentation of the following:

1. Idaho Power is only addressing EFSC requirements with the plan. The PUC must also consider state law regarding Noxious Weeds contained in ORS 569

Page 29 of the plan includes the following:

- a. Idaho Power is not being required to control and eradicate noxious weeds within the entire site boundary, or in the entire right of way. The only areas that Idaho Power is required to control or eradicate noxious weeds within the Right of Way is areas where they have “disturbed” the existing ground cover.

- b. The developer is only responsible for “new infestations” in the “disturbance area”.
- c. The developer will have no responsibility for controlling or eradicating noxious weeds present prior to the Project that continue to exist and spread seeds. This is in direct conflict with (ORS 569.390) which requires them to control and keep noxious plants from going to seed. They state that they will “work with the landowner” who lost control of the location when the transmission line is built to meet the requirements of the statute.) The landowner will no longer have control of the land in the right of way because Idaho Power either purchased an easement or obtained one through eminent domain.

Page 39 of the plan includes the following:

- d. The plan only calls for annual monitoring for the first 5 years of operation once the development is in service. This period can be shorter if EFSC determines that noxious weeds have been “controlled”.
- e. Once noxious weeds are determined to be “controlled”, no further action is required of Idaho Power to treat noxious weeds in that area.

County Weed managers submitted comments on the previous draft plan. (GL 103) The final draft plan lacks the requirements that they commented on, plus adding language which increases the failure to comply with state law. The specific comments by Weed Supervisors from Morrow, Umatilla and Union Counties which incorporated comments from Malheur and Baker County weed supervisors identified 31 issues and included the need for a bond to pay for costs in the event the county had to go through an enforcement process and complete the work themselves. The supervisors stressed the fact that the draft plan did not adhere to state and county weed laws and that Idaho Power was responsible for all weeds whether they had been there for 50 years or appeared 20 years after the transmission line was operational. Item 5 points out the importance of noxious weed control to preserve T & E species by protecting their habitat. Item 10 states “IPC will be held responsible for ALL state and county listed noxious weeds on *areas they disturb, hold right of way on, or manage.*” Item 13 restates responsibility on all above areas, plus states responsibility is for the life of the project. Item 27 states, ”There will be NO waiver option. Even if ODOE no longer requires IPC to control their weeds, both Oregon state

and county weed laws require it.” (GL 403 County Weed Plan Comments, August 22, 2017.)

In the event that Idaho Power follows this Plan, they will not comply with State Law. Either the Counties or the citizens will have to assume the costs of obtaining a court order and assuring that noxious weeds are managed according to Oregon statutes. The PUC needs to require a Mitigation Plan that includes their costs and responsibilities to meet the statutes, or the costs must be directly reflected in the costs to the public of this transmission line. The PUC needs to determine who will be required to meet the state requirements regarding Noxious Weeds including paying for noxious weed monitoring and treatment for the land that Idaho Power controls and include that amount in the budget figures for the development.

SUMMARY OF NOXIOUS WEED MANAGEMENT

In spite of their statements, the Noxious Weed Plan does not meet the EFSC requirements and specifically ignores the Oregon State requirements.

This Response Brief documents the costs for control and eradication of Noxious Weeds. If Idaho Power is not required to address weeds within their right of way, they will spread to adjoining farm and forest lands. These resulting costs of managing or failing to manage noxious weeds will fall onto Oregon Landowners.

Costs resulting from treating weeds, lost jobs, lost income, lost habitat must be included in costs to Oregon citizens from the project to determine “least cost”, and whether the PUC should issue a CPCN. Page II-II of Exhibit 404 estimates the economic impact of noxious weeds is \$83.5 million personal income and the loss of 1.9 thousand jobs.

Susan Geer is submitting additional information regarding Noxious Weed impacts and rather than restate her material, I am including it here by reference.

The information provided to the ALJ regarding the issue of Noxious Weeds require the PUC to deny the application for a CPCN until the final mitigation plan is submitted, evaluated, and costs included in the application for CPCN.

NOISE IMPACTS OF THE B2H TRANSMISSION LINE POSE A HEALTH AND SAFETY HAZARD THAT THE PUC IS REQUIRED TO EVALUATE AND ADDRESS UNDER THEIR STATUTES AND RULES.

Relevant language of these statutes:

467.010 Legislative findings and policy. The Legislative Assembly finds that the increasing incidence of noise emissions in this state at unreasonable levels is as much a threat to the environmental quality of life in this state and the health, **safety** and welfare of the people of this state as is pollution of the air and waters of this state.

467.020 Prohibition on emission of noise in excess of prescribed levels. Except as provided in ORS 467.131 and 467.133, no person may emit, cause the emission of, or permit the emission of noise in excess of the levels fixed therefor by the Environmental Quality Commission pursuant to ORS 467.030.

467.030 Adoption of noise control rules, levels and standards. (1) In accordance with the applicable provisions of ORS chapter 183, the Environmental Quality Commission shall adopt rules relating to the control of levels of noise emitted into the environment of this state and including the following:

(a) Categories of noise emission sources, including the categories of motor vehicles and aircraft.

(b) Requirements and specifications for equipment to be used in the monitoring of noise emissions.

(c) Procedures for the collection, reporting, interpretations and use of data obtained from noise monitoring activities.

(2) The Environmental Quality Commission shall investigate and, after appropriate public notice and hearing, shall establish maximum permissible levels of noise emission for each category established, as well as the method of measurement of the levels of noise emission.

ORS 756.040(1) – Commission is to represent and protect the customers of the utility and the public generally in matters which the commission has jurisdiction.

ORS 756.062(2) – Laws are to be liberally construed consistent with ORS 756.040(l) to promote public welfare and justice between customers, public and utilities.

ORS 758.015(I) – Commission is to receive information reasonably required to determine public necessity and convenience.

OAR 340-035-0015 Definitions

5) “Ambient Noise” means the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far.

This definition was further specified in OAR 340-035-0035 stating that the measurement for the baseline ambient noise level at a location did not include a list of items including: sounds from railroads, airplanes, road traffic and equipment, etc.

(7) “Any One Hour” means any period of 60 consecutive minutes during the 24-hour day.

(24) “Industrial or Commercial Noise Levels” means those noises generated by a combination of equipment, facilities, operations, or activities employed in the production, storage, handling, sale, purchase, exchange, or maintenance of a product, commodity, or service and those noise levels generated in the storage or disposal of waste product

This definition indicates that noise exceedances include all noise related to a transmission line, not just corona noise and challenges any statements that the noise evaluations made by the developer which only included corona noise cannot be considered “conservative.”

37) “Noise Level” means weighted sound pressure level measured by use of a metering characteristic with an “A” frequency weighting network and reported as dBA.

(38) “Noise Sensitive Property” means real property normally used for sleeping, or normally used as schools, churches, hospitals or public libraries.

59) “**Statistical Noise Level**” means the noise level which is equaled or exceeded a stated percentage of the time. An L10 = 65 dBA **implies that in any hour of the day** 65 dBA can be equaled or exceeded only 10% of the time, or for 6 minutes.

OAR 340-035-0035 (B)

(B) New Sources Located on Previously Unused Site:

(i) **No person owning or controlling** a new industrial or commercial noise source located on a previously unused industrial or commercial site **shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source increase the ambient statistical noise levels, L10 or L50, by more than 10 dBA in any one hour. (any one hr. is defined in OAR 340-035-0015(7) to mean any hr. in a 24 hr. day).**

(ii) The ambient statistical noise level of a new industrial or commercial noise source on a previously unused industrial or commercial site shall include all noises generated or indirectly caused by or attributable to that source including all of its related activities. Sources exempted from the requirements of section (1) of this rule, which are identified in subsections (5)(b)–(f), (j), and (k) of this rule, shall not be excluded from this ambient measurement.

OAR 860-025-0030(l)(d)(A) and (G) Petitioner(s) must provide costs including land and land rights to be condemned and (G) explanation to enable full understanding of cost basis and derivation.

OAR 860-025-0030(l)(f) – Must describe the interest to be condemned.

Greg Larkin's interest is in providing a quiet sanctuary where he is protected from things that will exacerbate his health issues.

OAR 860-025-0035(l) – Commission must establish necessity, safety, practicability and justification in the public interest.

OAR 860-025-0035(l)(b) It must be demonstrated that public is protected from danger and conforms to applicable safety standards.

NOISE REPLY TESTIMONY

First Error: Idaho Power has argued that corona noise exceedances of the Ambient Degradation Standard do not create a safety hazard.

1. Since the Oregon Statutes define noise as a “safety” hazard, in order to determine that it is not, there must be a legal determination that the OPUC has the authority to overrule Oregon law. Since I am not allowed to argue this legal issue, it falls on the ALJ to make this determination if the decision conflicts with the plain language of the law.

The Oregon Legislature passed legislation including ORS 467.010,

establishing noise as a significant health and safety risk, ORS 467.020

requiring that no person (defined as including developers) be allowed to emit noise in excess of the levels to be established by the Environmental Quality Commission under ORS 467.030.

In addition, The Oregon Health Department “Strategic Health Impact Assessment On Wind Energy Development in Oregon, March 2023, Prepared by the Public Health division, Oregon Health Authority Noise study GL 116 supports the fact that there are safety and health risks from noise exposure.

The Oregon legislature extended the Oregon Statutes to include specifically the items that were to be included in the rules established by the noise impacts of wind generators. The study also devoted Section II to information regarding the impacts of noise on people. This report was developed by a multi-disciplinary group of experts and used 165 different reference documents. Those participating in the development of the report included Sujata Joshi, MSPH, Epidemiologist; Jae Douglas, PhD, Principal Investigator and Project Manager; Daniel Cain BS Industrial Hygienist; Julie Early-Alberts, MS, Manager, Research and Education Healthy Communities Unit; Mel Kohn, MD, it included a 12 person steering

committee as well as Gail Shibley, JD, Jae Douglas, PhD, Mark Bastasch, PE, INC; and Kerie Standlee, P.E.

The Oregon Health Department study provided the following information regarding safety impacts from noise exposure:

Page 25

--Atmospheric attenuation is affected by air temperature, humidity, barometric pressure, and wind speed and direction.

--Comparing similar sounds, a 3 dB increase is considered the threshold of perceived difference. Page 26

--Page 27

--describes 50 dB as the sound of a dishwasher in the next room. 55dB as a large business office and 60 dB as heavy traffic 300 feet away or an industrial area.

Scientists have identified three broad categories of health effects from exposure to noise: 1) subjective effects such as annoyance; 2) disturbance of sleep, communication, concentration and other activities. 3) physiological effects such as tinnitus and anxiety. The report states that the effects are often related. It also states that "Annoyance" from noise encompasses a wide range of human reactions. People

Reply Brief to Idaho Power Opening Comments 26

may become annoyed with a noise because it actually interferes with activities or sleep, or because it is simply perceived as being out of place. “Annoyance can denote more than a slight irritation; Page 25

The legislature required the EQC must promulgate rules to specify (1) noise is a safety hazard; (2) that the safety standards cannot be exceeded, (3) specific items which must be included in the rules developed to comply with the statute and (4) that the rules had to be established through formal rulemaking as required in ORS 183 including a public process.

Second Error: The developers argue that the Oregon Statutes and rules do not state that the noise exceedances must be identified based on the number of 24 hr. days during the year when the Ambient Degradation Standard will be exceeded during one or more hrs. of the day. The exceedances cannot be evaluated based on the percentage of hrs. in a 365 day year when noise levels are exceeded. The definition is included in OAR 340-035-0015 The definition (59) “Statistical Noise Level” states it is the noise level which is equaled or exceeded a stated percentage of time **IN ANY HR OF THE DAY**. The definition of “any one hr.” is defined as (7) **any**

Reply Brief to Idaho Power Opening Comments 27

one hr. in a 24 hr. day. The definitions included in the rules require the Oregon Public Utility Commission to consider the safety impacts of the noise generated by the transmission line in terms of the number of 24 hr. days when there will be exceedances of the Ambient Degradation Standard for one or more hrs. in each 24 hr. day. This definition must be used to determine that noise will result in an average of approximately 80 days per year of exceedances in the Union County area. It supports the fact that Idaho Power must address the conditions at each of the residences where noise exceedances will occur, identify the preexisting conditions of residents at those locations which may be negatively affected by noise exceedances and determine how the impacts will be addressed under the DEQ noise rules requiring noise exceedances to be mitigated at the location where the measurements were taken. Their statements based on the percentage of time during all the hrs. in a year cannot be considered documentation that corona noise does not create a safety issue which must be evaluated and mitigation determined prior to the issuance of a CPCN.

Idaho Power argues incorrectly that noise is not a safety hazard. They attempt to support this argument by referring to the testimony of Mr. Bastasch and Mr. Ellenbogen.

Mr. Ellenbogen admits that his experience is focused primarily on the noise from wind generators and that he relies on the testimony from Mr. Bastasch in making his determinations. There are two different tests which must be met in Oregon in relation to noise exceedances. This contested case is only about the second test which is the Ambient Degradation Standard. In order to comply with this standard, the new development cannot increase the noise at Noise Sensitive Properties more than 10 dBA above the noise level at the residence prior to the construction of the transmission line.

The developer can provide all the "expert testimony" they want to pay for. It fails to overrule the fact that the Oregon Legislature established by statute that noise is a safety hazard as much so as pollution of the air and water. While I am not allowed to make "legal arguments", the ALJ must make a legal determination regarding whether or not the Oregon Public

Utilities Commission has the authority to overrule state law and decide it is not a safety hazard.

Mr. Bastasch makes several claims and statements regarding noise that simply are not true or not consistent with the rule or statutes. Arguments that the frequency of Ambient Degradation Standard Exceedances has any relationship to the percent of hrs. of bad weather in the total number of hrs. in a 365 day year is not supported by the statutes and rules referenced in this document.

ORS 469.401(4) – EFSC cannot preempt the jurisdiction of any state agency or local government over matters that are not included in and governed by the site certificate or amended site certificate.

The PUC is guided by the following:

1. The PUC is required to independently evaluate safety, the interests of the public and represent the customers and public at large in these contested case hearings. (ORS 758.015 and ORS 756.040(1))

2. The PUC is to protect the public from safety hazards from the development and assure the public interest is being met, including assuring costs are reasonable and accurately projected.
3. The PUC must apply the plain language of the rules., but EFSC can approve a site certificate which fails to comply with LCDC rules (OAR 469.504(2).
4. The PUC must consider costs that will be created for Oregon Utility users, property owners and citizens in order to determine if the development is in the best interest of the public. Costs can include Safety risks being created by the developer as in this case.
5. The PUC clearly states the independent nature of their decisions in the 2017 IRP LC 68, Order No. 18-176 stating, “We clarify that this determination is limited our IRP standards and that, in acknowledging these action items, we do not interpret or apply the standards of any other state or federal agency.”
6. PUC acknowledged that state law regarding the IRP required them to exclude many public concerns regarding costs to ratepayers, citizens of Oregon and Eastern Oregon. The PUC rules regarding the issuance of a CPCN now must incorporate these excluded items in that they impact costs,

The PUC must make an independent and informed decision based upon the language of the rules and evidence being provided that will confirm that the noise generated by the transmission line poses a threat to public safety.

7. Idaho Power failed to do any assessment of the impacts of noise on the exposed citizens prior to applying for the CPCN.
8. Arguments regarding whether or not noise is a safety risk are moot. The Oregon Legislature has decided and incorporated into statute the fact that it is a safety risk.
9. While Mr. Ellenbogen has significant experience in wind turbine noise, he does not have significant experience in corona noise.
10. Mr. Ellenbogen relies upon Mr. Bassett to make his decisions.
11. The Oregon legislature recognized the significant differences between noise generated by wind turbines and other noise covered by the Oregon Statutes. They made changes to the Oregon statute to address this unique noise characteristics.
12. PUC lacks the authority to determine based upon Idaho Power witnesses' opinions that corona noise does not pose a safety risk to citizens exposed and must require IP to provide information regarding the exceedances and how

they are going to mitigate the safety hazard they are creating for citizens of Oregon they are creating.

13. Mr. Ellenbogen recognizes the differences between wind and corona noise, but uses noise information gathered regarding wind farms and applies that to corona noise impacts.

14. The Oregon health authority, after a comprehensive review of noise included in their publication information related to noise in general that support the legislature's determination that it is a safety hazard.

15. Comparisons of the noise experienced by individuals in their homes with noise occurring at the workplace are not related. In the workplace, employers must require hearing protection for their workers to reduce the noise impacts on employees. People cannot be expected to wear hearing protection in their homes and open spaces when seeking to experience the peace and quiet that is necessary for them to have a quality experience.

16. Idaho Power is not without options for addressing the safety risk they will create for Oregon citizens. They could have addressed this during the IRP process by including noise and the costs of abatement in determining the portfolio that represented least cost. The portfolio including B2H and their predictions of the costs of this project continue to require Idaho Power to

admit to the costs they will incur to address the hazard they have created.

Costs can not be the basis for exposing citizens to a safety risk that they have been aware of during the entire decade long process of planning for this transmission line. As noted in my earlier brief, Idaho Power has by their own actions limited the ways to mitigate the safety hazard they will create. They can still protect the safety and health of Oregon citizens, however, they do not choose to expend the costs to do so. Burying the transmission line would address this and other damages they will create.

17. Notice has never been provided to the citizens who will be impacted by the noise from the transmission line. A certificate cannot be issued by the PUC that will directly impact citizens who will be exposed to noise above the DEQ noise standard absent compliance with the notice requirements of the Oregon Statutes.

**COSTS OF DEVELOPMENT TO OREGON LANDOWNERS AND CITIZENS
AND WHETHER THE PROJECT MEETS THE REQUIREMENT THAT IT BE
IN THE PUBLIC INTEREST TO ISSUE A CPCN.**

The results of Idaho Power's continued negotiations with Oregon Landowners whose property is being taken for the transmission line need to be included in the

costs to the developer and also to the landowners. In the event that the payments are not consistent with the lost value of production of agricultural and forest products, it represents a cost to the landowner which the PUC is to determine in deciding whether to issue a CPCN. Oregon Statutes included in the PUC Condemnation rules support this

Forest land subject to condemnation in Union and Umatilla Counties must receive **at a minimum** the value of existing timber, the timber production that is lost during the time the land is being used, and the increased costs of harvesting surrounding timber. ORS 772.210(4). Negotiations with landowners who do not require Idaho Power to obtain the right of way through condemnation are still entitled to payment for the best use of the land. They need to receive the amount described in ORS 772.210(4).

OAR 860-025-0030(l)(d)(A) and (G) Petitioner(s) must provide costs including land and land rights to be condemned and (G) explanation to enable full understanding of cost basis and derivation.

OAR 860-025-0030(l)(f) – Must describe the interest to be condemned.

Greg Larkin's interest is in providing a quiet sanctuary where he is protected from things that will exacerbate his health issues.

Page 50 of Idaho power's Opening Brief states that Idaho Power has obtained land use approvals for this project. Land Use approvals must include obtaining the right to use private property for development of the transmission line. According to ODOE, Idaho Power has not received approval of any of their mitigation plans required to meet the EFSC standards.

OAR 860-025-0035(l)(b) It must be demonstrated that public is protected from danger and conforms to applicable safety standards.

(Noise defined as a "safety" standard.

OAR 860-025-0035(l)(d) – Must justify as in the public interest compared to feasible alternatives. Must consider public benefits and costs as they relate to the interests in land proposed to be condemned, petitioner's Oregon customers and other considerations relevant to the public interest such as

Reply Brief to Idaho Power Opening Comments 36

benefits and costs to all Oregonians .On page 267 of Mr. Bastaches testimony, he stats that data presented in a number of ways in a year are consistent with the statute. This is not consistent with the rules and statutes noted in this document.

ORS 469.401(4) – EFSC cannot preempt the jurisdiction of any state agency or local government over matters that are not included in and governed by the site certificate or amended site certificate.

Taken as a whole including my testimony and incorporating the testimony on contested case issues brought forward by other public petitioners, it is clear that the PUC lacks the information necessary to justify the issuance of a CPCN and I encourage you to require receipt of the information and an opportunity to evaluate it prior to considering issuing a CPCN for the B2H Transmission Line.

/s/Greg Larkin

Greg Larkin

CERTIFICATE OF MAILING

On May 30, 2023, I certify that I filed the above Reply to Idaho Power Opening Brief and Declaration with the Administrative Law Judge via the OPUC Filing Center, for the Docket # PCN-5; and the following:

John C. Williams
PO Box 1384
La Grande, OR 97850

/s/ Greg Larkin

Greg Larkin

Intervenor, PCN-5

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

PCN 5

IN THE MATTER OF IDAHO POWER

GREG LARKIN'S RESPONSE TO

PETITION FOR CERTIFICATE OF

PACIFICORP'S OPENING BRIEF

PUBLIC CONVENIENCE AND NECESSITY

Greg Larkin submits this Response Brief to PacifiCorp's Opening Brief.

I would like to direct the ALJ to several areas of inaccuracies, incomplete information and undocumented statements in PacifiCorp's Opening Brief.

First Error: Page 1, First Introductory paragraph. The statement that the Certificate of Public Convenience and Necessity (CPCN) should be approved "because Idaho Power has met the requirements in Oregon Revised Statute ORS 758.015 and OAR 860-025-0035 is not consistent with the plain language of the law. ORS 758.015 requires the person to provide the information listed in OAR 860-025-0030 when filing for a CPCN prior to the issuance of the certificate. To date, Idaho Power's applications to the PUC for the CPCN has only reflected

approximately 21% of their 45.45% interest in the transmission line. Issuing a (CPCN) based upon a request that represents only a portion of the information required of a minor interest holder in the project does not comply with the plain language of the PUC rules. The statutes and rules are clear in stating that any person proposing to construct an overhead transmission line shall petition the PUC for a CPCN and provide specific information which is incomplete in the application from Idaho Power. In addition, PacifiCorp is a “person as defined in ORS 758 proposing that this construction occur. In fact, they are the primary “person” who will be paying for and owning the transmission line.

ORS 758.015(1) When **any person**, as defined in [ORS 758.400 \(Definitions for ORS 758\)](#), providing electric utility service, as defined in [ORS 758.400 \(Definitions for ORS 758\)](#), or **any transmission company**, proposes to construct an overhead transmission line which will necessitate a condemnation of land or an interest therein, shall petition the Public Utility Commission for a (CPCN) setting forth a detailed description, the purpose of the proposed transmission line, the estimated cost, the route to be followed, the availability of alternate routes, a description of other transmission lines connecting the same areas, and other information in such form as the commission may reasonably require in determining the public convenience and necessity.

There are only two possible scenarios regarding this Application for a CPCN:

Scenario One: PacifiCorp appears to argue that Idaho Power is the only entity constructing due to their role as “project manager” and thus they are the only ones required to provide information supporting the issuance of a CPCN by the Public Utilities Commission.

In PacifiCorp’s Opening Brief they state that Idaho Power is the project manager “responsible for all permitting, design, procurement and construction” . (Page 3, Paragraph 2, last line of Pacificorp’s Opening Brief); Page 1 last sentence in first Paragraph under “Introduction” they state that, “Once constructed, Idaho Power, who is project manager, and responsible for the construction of B2H, will own 45.45 percent and PacifiCorp will own 54.55 percent.....”) Page 8, first two sentences they state: “for PacifiCorp, it is not the construction of the actual transmission line because Idaho Power is the project manager responsible for construction of the transmission line.”

In order to accept that scenario, any entity hired to oversee the construction of a transmission line could be issued a CPCN.

--Direct ownership by PacifiCorp in the B2H transmission line is provided in their 2023 IRP, Page 98 which includes the Boardman-to-Hemingway transmission line and Page 99 which outlines the removal of BPA from

participating in the construction of the B2H and stating that Pacificorp will retain a 55% interest in the line. (From Exhibit Kreider 308) PacifiCorp has agreed to pay for and own 55% of the B2H, therefore, they must request a CPCN and provide the PUC with all information required by OAR 860-025-0030 to support a decision under OAR 860-025-0035 including maps showing their service area, available alternate transmission line routes, other transmission lines, and substations of petitioner capable of being adopted to serve the area, terminals, substation sources of energy, the impact of the closure of coal generating plants owned by PacifiCorp and transmission line capacity that will be made available by those closures, and how PacifiCorp intends to ensure compliance with Commission rules, estimated annual revenue requirements, etc. To date, this information has not been provided to justify the issuance of a CPCN.

Scenario Two: If Idaho Power is the only utility responsible for construction of the transmission line and PacifiCorp is not involved, then Idaho Power's application must be resubmitted and they must disclose that to the PUC. The application must show that they are able to independently meet all requirements of OAR 860-025-0030 and OAR 860-025-0035 to obtain a CPCN. This would include being responsible for the total cost and impacts of the B2H including how it is an advantage to Idaho Power to pay for the entire B2H transmission

line compared to other methods of obtaining the electricity demands they are projecting. Idaho Power Company also needs to justify how it is in the public interest for their small number of Oregon customers to assume these costs given the financial and resource costs their Oregon customers will be assuming. How Idaho Power intends to obtain and pay for the construction of the transmission line absent the financial burden being assumed by PacifiCorp.

Regardless of the arguments being made by PacifiCorp or Idaho Power, there is a lack of required information in order to meet the PUC requirements to issue a CPCN as noted above. What we know is that the PUC has received a request for a CPCN based upon decisions of other agencies that only considered 25% of the development, and information which continues to rely upon a 25% interest in the development.

The ALJ and the PUC should not consider the arguments that PacifiCorp makes on Page 2, located prior to Section II Background

These comments are not supported nor do they refer to any exhibits in the record documenting whether they are factual. They lack specificity, the basis of the statements or the amount of impact they will have on the need for the B2H transmission line. or these contested cases. They are simply general statements

lacking any supporting documentation, or specific numbers upon which the statements are being made.

Scenario Three:

The statement on Page 3, Last paragraph and the second line of Page 5 is not accurate. The Oregon Supreme Court did not approve and confirm the **EFSC application**. They ruled on the narrow number of issues that were brought before them. The decisions were specific to the Oregon Department of Energy and EFSC decisions and included only the following: Allowed EFSC to accept Idaho Power's method of evaluating visual impacts,. Allowed EFSC to authorize developers to exceed state noise statutes at the site of the development. Allowed EFSC to allow the noise exceedance based upon the number of hrs. of exceedance compared to the total hrs. in a year, allowed EFSC to delegate to ODOE the historic properties assessment but "required Idaho Power to demonstrate that the mitigation efforts it adopted to comply with federal law would also satisfy state law." Decided that the siting council was not required to use NEPA route in their evaluation. (Stop 2H Coalition v. Oregon Dept. of Energy, Oregon Facility Siting Counsel and Idaho Power Com McAllister v. Oregon Dept. Of Energy, Oregon Energy Facility Siting Counsel, and Idaho Power Co., Gilbert v. Oregon Department of Energy, Oregon Energy Facility Siting Counsel, and Idaho Power Co., 370 Or. 792, 525 P. 3d 864 (2023))

Prior to the opportunity to bring issues before the Oregon Supreme Court, ODOE threw out multiple issues denying the public access to a Supreme Court decision by virtue of denying them the ability to develop a contested case file. ODOE argued 74 times that issues were not within EFSC jurisdiction, 43 times that the public had not raised the issue in the public hearing and 73 times that the arguments the public made during the public hearings were not specific enough as noted and documented on Page 36 of GL 1101. After all the denials initially of issues the public brought forward, Idaho Power and ODOE argued that over 30 of the allowed contested cases should be denied access to the procedure through Summary Determination. All the public issues where Idaho Power and the Oregon Department of Energy requested Summary Determination were thrown out. (Exhibit 1101, Page 38 and 39) The legitimacy of multiple decisions included in the Site Certificate was never tested by the Oregon Supreme Court. The issues that were heard did not include any contested case that resulted in a decision that approved and confirmed the entire Application and site certificate.

Scenario Four:

First paragraph of page 6 and referenced PacifiCorp 200 document. This reference fails to establish the favorable impacts that will be realized by relying upon other methods of meeting PacifiCorp's projected need. They include such things as replacing their coal generated electricity with renewable wind or solar and using

the transmission infrastructure currently carrying that energy to transport renewable energy. This would avoid the impacts of the Environmental Protection Agency's Ozone Transport Rule and provide extended and expanded tax incentives under the federal Inflation Reduction Act.

Scenario Five:

Page 6 Second paragraph: PacifiCorp discusses the benefits of the B2H for PacifiCorp and their customers, but fails to include how it impacts all other Oregon electricity customers. The comments regarding the company's ability to integrate clean, renewable energy and storage resources ignores the fact that they are burdening the other Oregon utilities and customers with the costs, and fees associated with receiving their coal generated electricity. In addition, Oregon customers lose Renewable Energy Credits (REC) credits which would otherwise be reducing their energy costs. According to the Oregon Department of Energy 2022 Biannual Report to the Oregon Legislature, Page 11 and 14, the imported electricity coming into Oregon for 2020 accounted for 88.6% of the coal based electricity used in Oregon resulting in 26.47% of the Electricity used in Oregon coming from coal. Providing a means to import additional coal and other non-renewable energy creates a perceived need for Oregon to construct additional unneeded renewable energy to meet their renewable energy goals. In 2020 Oregon exported 57% of its wind generation, 34.4% of its hydroelectric generation and

16.7% of its solar generation. The REC's that should have gone to Oregon customers to reduce their energy bills went with the renewable energy exports.

As stated in PacifiCorp's Brief, Integrated Resource Plans evaluate whether a utility has evaluated the benefits to them and their customers. (Page 7 of PacifiCorp's Opening Brief, first paragraph). OAR 860-025-0035 requires the Public Utility Commission prior to issuing a CPCN, to document whether and how the advantages for PacifiCorp will impact all the other Oregon Customers and Citizens.

The above issue regarding the requirements of OAR 860-025-0035 that the PUC evaluate the benefits and costs to all Oregon customers, landowners and citizens is further addressed in the response to Idaho Power's opening brief. That response is incorporated here for reference. The issue of cost to Oregon citizens as a group and land owners directly impacted by this transmission line have been grossly understated and under evaluated.

Scenario SIX: There is significant concern by the public regarding the fact that PacifiCorp is claiming that they will have a net benefit of \$1,713 billion dollars by including the B2H in their portfolio. The unanswered question is: If PacifiCorp is going to have a benefit increase of over \$1,274 billion over their 2021 IRP figures, who is losing \$1,274 worth of benefits? A portion of the answer may be reflected

in Issue Five above, but that can not account for all of the increase. It is difficult to imagine that a company with a stated 55% ownership in this project could be that inaccurate and there is a need to know who is paying for the increased net benefits they claim they will receive.

SUMMARY

The above information provides documentation that the Public Utilities Commission lacks the information required by statute and PUC rules necessary to issue a certificate of public convenience and necessity. Issuing a CPCN absent the information required from PacifiCorp regarding their involvement in this project denies the public any opportunity to review and respond to errors and omissions regarding the role, responsibilities and funding they are assuming responsibility for. Absent that information, it is impossible to assess the impacts to citizens safety, the public interest, costs or other impacts of this development.

The PUC must not issue a CPCN prior to obtaining the information required in relation to the entire B2H transmission line.

/S/ Greg Larkin

Greg Larkin

CERTIFICATE OF MAILING

On May 30, 2023, I certify that I filed the above Reply to PacifiCorp Opening Brief and Declaration with the Administrative Law Judge via the OPUC Filing Center, for the Docket # PCN-5; and the following:

John C. Williams
PO Box 1384
La Grande, OR 97850

/s/ Greg Larkin

Greg Larkin

Intervenor, PCN-5

**B2H OPS Condition GEN-FW-03
Noxious Weed Management Plan**

**Boardman to Hemingway Transmission
Line Project**



*1221 West Idaho Street
Boise, Idaho 83702*

March 2023

Agency Review Process

The agency review process outlined in this section aligns with the OAR 345-025-0016 agency consultation process applicable to monitoring and mitigation plans.

As described in the draft Noxious Weed Plan, the certificate holder, or its contractor(s), will develop preconstruction noxious weed inventories and will control and treat weed prior to, during and after construction. The draft Noxious Weed Plan will be finalized, as described throughout the plan. In addition, the plan may be amended at any time during construction, subject to the agency review process outlined below.

To afford an adequate opportunity for applicable local, state and federal agencies to review the draft plan prior to finalization and implementation, and any future plan amendments, the certificate holder shall implement the following agency review process.

Step 1: Certificate Holder's Update of Draft Plan or Future Plan Amendment: The certificate holder may develop one Noxious Weed Plan to cover all noxious weed control activities for the entire facility; or, may develop individual plans per county, segment or phase, as best suited for facility construction. Based on the draft Noxious Weed Plan included as Attachment P1-5 of the Final Order on the ASC, the certificate holder shall update the draft plan(s) based on the final facility design and agency review. If the plan(s) are amended following finalization, the certificate holder shall clearly identify and provide basis for any proposed changes.

Step 2: Certificate Holder and Department Coordination on Appropriate Review Agencies and Agency Review Conference Call(s): Prior to submission of the updated draft plan, or any future amended plans, the certificate holder shall coordinate with the Department's Compliance Officer to identify the appropriate federal, state and local agencies to be involved in the plan review process. In this instance, "appropriate" federal agencies are based on landownership where facility components would be sited. "Appropriate" local agencies include the local planning department of the jurisdiction where facility components would be sited. Once appropriate federal, state and local agency contacts are identified by the Department and certificate holder, the Department's Compliance Officer will initiate coordination between agencies to schedule review/planning conference call(s). The Department and certificate holder may agree to schedule separate conference calls per county.

The intent of the conference call(s) are to provide the certificate holder, or its contractor, an opportunity to describe details of the updated draft or amended plan; and, agency plan review schedule. Agencies may provide initial feedback on requirements to be included in the plan during the call, or may provide written comments during the 14-day comment period. The Department will request that any comments provided be supported by an analysis and local, state or federal regulatory requirement (citation).

The certificate holder may coordinate with appropriate review agencies, in advance of or outside of the established agency review process; however, this established agency review process is necessary under OAR 345-025-0016 and may result in more efficient plan finalization and amendment if managed in a

consolidated process, utilizing the Department's Compliance Officer as the lead Point of Contact.

Step 3: Agency Review Process: Either with, or prior to, the agency conference call(s), the certificate holder shall distribute electronic copies of the draft, or future amended, plan(s) requesting that the Department coordinate agency review comments within 14-days of receipt, or as otherwise determined feasible. Following the 14-day agency review period, the Department will consolidate comments and recommendations into the draft, or amended, plan(s), using a Microsoft Word version of the plan provided by certificate holder. Within 14-days of receipt of the agency review comments, the certificate holder shall provide an updated final version of the plan, incorporating any applicable regulatory requirements, as identified during agency review or must provide reasons supporting exclusion of recommended requirements. Final plans will be distributed to applicable review agencies by the Department, including the certificate holder's assessment of any exclusions of agency recommendations, and a description of their opportunity for dispute resolution.

Step 4: Dispute Resolution: If any review agency considers the final, or amended, plan(s) not to adhere to applicable state, federal or local laws, Council rules, Council order, or site certificate condition or warranty, the review agency may submit a written request of the potential violation to the Department's Compliance Officer or Council Secretary, requesting Council review during a regularly scheduled Council meeting. The Council would, as the governing body, review the violation claim and determine, through Council vote, whether the claim of violation is warranted and identify any necessary corrective actions.

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	Background.....	1
1.2	Purpose.....	1
1.3	Goals and Objectives.....	2
2.0	REGULATORY FRAMEWORK.....	4
2.1	State of Oregon.....	4
2.2	Federal Noxious Weed Act of 1974 (as amended 1990).....	5
2.3	Executive Order 13112.....	5
2.4	U.S. Department of Agriculture, Forest Service.....	5
2.5	Bureau of Land Management.....	6
2.6	Bureau of Reclamation.....	6
3.0	NOXIOUS WEEDS IN THE SITE BOUNDARY.....	7
3.1	Oregon State Noxious Weeds Lists.....	7
3.2	County Noxious Weeds Lists.....	7
3.3	Preliminary Noxious Weed Inventories and Surveys.....	14
4.0	PRECONSTRUCTION NOXIOUS WEED INVENTORY.....	18
4.1	Procedures for Preconstruction Inventory.....	18
4.2	Results of Preconstruction Inventory.....	18
5.0	NOXIOUS WEED MANAGEMENT.....	22
5.1	Education and Personnel Requirements.....	23
5.2	Prevention.....	23
5.2.1	Vehicle Cleaning.....	24
5.2.2	Flagging and Restricted Access.....	24
5.2.3	Soil Management.....	25
5.2.4	Reclamation.....	25
5.2.5	Materials Management.....	25
5.3	Treatments.....	25
5.3.1	Types of Treatments.....	26
5.3.2	Preconstruction Treatments.....	28
5.3.3	Treatments during Construction.....	29
5.3.4	Postconstruction Treatments.....	29
5.4	Reclamation Actions.....	29
6.0	MONITORING AND REPORTING.....	31
6.1	Monitoring.....	31
6.2	Reporting.....	31
6.3	Ongoing Monitoring and Control.....	31
7.0	HERBICIDE APPLICATION, HANDLING, SPILLS, AND CLEANUP.....	32
7.1	Herbicide Application and Handling.....	32
7.2	Herbicide Spills and Cleanup.....	32
7.3	Worker Safety and Spill Reporting.....	32
8.0	LITERATURE CITED.....	33

LIST OF TABLES

Table 1. Designated Noxious Weeds Known to Occur or with the Potential to Occur within the Site Boundary.....	8
Table 2. Oregon State and County Listed Noxious Weeds Observed during 2011–2016 Field Surveys or From Existing Databases	14
Table 3. Noxious Weeds Observed During 2022 Preconstruction Inventory	19

LIST OF APPENDICES

APPENDIX A Preconstruction Inventory Results (2022)
APPENDIX B Noxious Weed Treatment Methods and Timing (November 2021)
APPENDIX C Agency-Approved Herbicides

ACRONYMS AND ABBREVIATIONS

BLM	Bureau of Land Management
BOR	Bureau of Reclamation
DOD	Department of Defense
DOI	Department of the Interior
EDRR	Early Detection / Rapid Response
EFSC	Energy Facility Siting Council
GPS	Global Positioning System
IPC	Idaho Power Company
kV	kilovolt
O&M	operation and maintenance
ODA	Oregon Department of Agriculture
ODOE	Oregon Department of Energy
ORS	Oregon Revised Statute
OSWB	Oregon State Weed Board
Plan	Noxious Weed Management Plan
Project	Boardman to Hemingway Transmission Line Project
PUP	Pesticide Use Proposal
ROW	right-of-way
SPCC	Spill Prevention, Control, and Countermeasures
USFS	U.S. Department of Agriculture, Forest Service
WOTUS	Waters of the United States

1.0 INTRODUCTION

1.1 Background

Idaho Power Company (IPC) proposes to develop a 500-kilovolt (kV) transmission line beginning in north-central Oregon near Boardman and ending in southwestern Idaho at the Hemingway Substation approximately 15.25 miles southeast of Marsing, Idaho. The Boardman to Hemingway Transmission Line Project (Project) consists of approximately 295.9 miles of electric transmission line, with 272.3 miles located in Oregon and 23.5 miles in Idaho. The Project includes 293.8 miles of new single-circuit 500-kV transmission line, removal of approximately 12 miles of existing 69-kV transmission line, relocation of 1.1 miles of an existing 230-kV transmission line, and relocation of 1.1 miles of an existing 138-kV transmission line into a new right-of-way (ROW).

The Site Boundary, as defined in Oregon Administrative Rule 345-001-0010(55) includes “the perimeter of the site of a proposed energy facility, its related or supporting facilities, all temporary laydown and staging areas, and all corridors and micro-siting corridors proposed by the applicant. IPC is only responsible for management of noxious weeds within the Project’s ROW (further described in Section 5.0).

The Project features are fully described in Exhibit B of the Application for Site Certificate (ASC, IPC 2018), and the location of the Project features and the Site Boundary is described in ASC Exhibit C and Table C-24. Any changes to the location of the Site Boundary are documented in requests for amendment to the site certificate.

This Noxious Weed Management Plan (Plan) includes a discussion of 1) the Plan purpose, goals, and objectives, 2) the regulatory framework, 3) current status of noxious weeds within the Site Boundary, 4) noxious weed management practices, 5) monitoring and reporting, and 6) herbicide application, handling, and cleanup.

1.2 Purpose

Invasive plant species are non-native, aggressive plants with the potential to cause significant damage to native ecosystems and/or cause significant economic losses. Invasive plants are opportunistic plant species that readily flourish in disturbed areas, are difficult to control, and thereby, can compete with and/or prevent native plant species from re-establishing. Invasive plants are a concern for federal, state, and local agencies because of their potential to degrade wildlife habitat, reduce native plant diversity, adversely affect agricultural production, and impact the general ecological health and diversity of native ecosystems. Noxious weeds are a subset of invasive plants that are officially designated by a federal, state, or local agency as injurious to public health, agriculture, recreation, wildlife, or property (Sheley and Petroff 1999).

Soil disturbances, such as those caused by the construction and operation and maintenance (O&M) of the Project, could result in the establishment of new populations and spread of existing populations of noxious weeds. The purpose of this Plan is to describe the measures IPC will undertake to control noxious weeds and prevent the introduction of these species prior to construction and during construction and O&M of the Project. It is the responsibility of IPC and the Construction Contractor(s), working with the appropriate land management agencies and the Oregon Department of Energy (ODOE), to ensure noxious weeds are identified and controlled during the construction and O&M of Project facilities and that all federal, state, county, and other local requirements are satisfied.

This Plan is applicable to all state, county and private lands on portions of the Project in Oregon, and it is expected modifications to this Plan will be made once final Project design is complete

and agreements are reached with applicable federal and state land management agencies and ODOE, as well as with counties and individual landowners.

A separate weed management plan has been prepared to meet the requirements of federally managed lands (Bureau of Land Management [BLM], Bureau of Reclamation [BOR], Department of Defense [DOD], and U.S. Department of Agriculture, Forest Service [USFS]) to be used to prevent the introduction and spread of noxious weeds associated with the construction and O&M of the Project on federally managed lands in Idaho and Oregon. This Plan and the federal weed plan contain similar and sometimes identical information on the methods that will be used to prevent the spread of noxious weeds. On federal lands where this weed plan and the federal weed management plan conflict, the federal weed plan will take precedent.

Measures that will be taken to restore areas that have been impacted by construction activities are discussed in the Reclamation and Revegetation Plan (IPC 2023a).

Methods in which vegetation along the transmission line will be managed during O&M of the Project are described in the Vegetation Management Plan (IPC 2023b).

1.3 Goals and Objectives

The goal of this Plan is to describe methods for early detection, containment, and control of noxious weeds that will be implemented during Project construction and operation. This Plan describes the known status of noxious weeds within the Site Boundary, the regulatory agencies responsible for the control of noxious weeds, and steps IPC will take in controlling and preventing the establishment and spread of noxious weeds during Project construction and O&M activities. General preventive and treatment measures are described in Section 4.0 of this Plan. Monitoring (Section 5.0) to evaluate effectiveness of the prescribed noxious weed prevention and control measures will be implemented during the operational phase of the Project. Section 4.2 and Appendix A contain information on locations of noxious weed populations within the Project. Appendix B contains example treatment methods.

The objectives of this Plan and the focus of IPC's noxious weed control efforts will be to prevent and control the spread of new infestations resulting from Project activities. While this Plan discusses noxious weeds across the entirety of the Site Boundary, for Energy Facility Siting Council (EFSC) purposes, IPC will only be responsible for the control of noxious weeds within Project ROWs and that are a result of the company's construction- or operation-related, surface-disturbing activities. For EFSC purposes, IPC is not responsible for controlling noxious weeds that occur outside of the Project ROWs or for controlling or eradicating noxious weeds that were present prior to the Project. With respect to pre-existing noxious weed infestations, IPC recognizes Oregon Revised Statute (ORS) Chapter 569 imposes onto occupiers of land within a weed district certain obligations to control and prevent weeds; if IPC identifies pre-existing weed infestations within a Project ROW, IPC will work with the relevant landowner or land management agency to address the same consistent with ORS Chapter 569. IPC is not responsible for management of noxious weeds within the entire Site Boundary, only within Project ROWs (further described in Section 5.0).

Goals, objectives, and noxious weed control activities for the Project include:

- Inventory the existing occurrence, distribution, and abundance of noxious weeds in the Project ROW prior to construction;
- Monitor and document the occurrence, distribution, and abundance of noxious weeds in the Project ROW following the completion of construction activities along each Project segment;

- Reduce infestations of noxious weeds caused by Project-related activities and prevent the spread of new and existing populations within the Project ROW both during construction as well as O&M of the Project;
- Ensure any occurrences of threatened and endangered plants along the transmission line are not negatively impacted by noxious weed-control activities by including site-specific planning where needed; and
- Coordinate and consult with appropriate land-management personnel, as appropriate, regarding noxious weed inventory and control activities conducted by IPC.

2.0 REGULATORY FRAMEWORK

The following provides a brief overview of federal and state legislation and regulatory compliance applicable to noxious weeds that have been considered in development of this Plan.

2.1 State of Oregon

In Oregon, noxious weeds are defined under ORS 569.175 as “terrestrial, aquatic, or marine plants designated by the State Weed Board under ORS 569.615 as among those representing the greatest public menace and as a top priority for action by weed control programs.” Noxious weeds have been declared by ORS 569-350 as a menace to public welfare and control of these plants is the responsibility of private landowners and operators, and county, state, and federal governments. The Oregon State Weed Board (OSWB) was established under ORS 561.650.

The OSWB provides direction to control noxious weeds at the state level and develops and maintains the State Noxious Weed List. The OSWB and the Oregon Department of Agriculture (ODA) classify noxious weeds in Oregon in accordance with the ODA Noxious Weed Classification System (ODA 2022). There are three designations under the State’s system:

- **Class “A” State Listed Noxious Weed:** A weed of known economic importance which occurs in the state in small enough infestations to make eradication or /containment possible; or is not known to occur in Oregon, but its presence in neighboring states makes future occurrence seem imminent.
- **Recommended action:** Infestations are subject to eradication or intensive control when and where found.
- **Class “B” State Listed Noxious Weed:** A weed of economic importance that is regionally abundant but may have limited distribution in some counties.
- **Recommended action:** Limited to intensive control at the state, county, or regional level as determined on a site-specific, case-by-case basis. Where implementation of a fully integrated statewide management plan is not feasible, biological control (when available) shall be the primary control method.
- **Class “T” Designated State Noxious Weed:** Priority noxious weed species selected and designated by the OSWB as the focus of prevention and control actions by the Noxious Weed Control Program. “T”-designated noxious weeds are selected annually from either the “A” or “B” list and the ODA is directed to develop and implement a statewide management plan for these species.

In addition to the state-listed noxious weeds, the five Oregon counties crossed by the Project (Baker, Malheur, Morrow, Umatilla, and Union) each maintain a county-designated noxious weed list. These lists also classify noxious weeds into different categories (typically Class A, B, and C); however, the definition of each class differs slightly from the state classification system and differs slightly by county. IPC will review the state and county lists annually to ensure that monitoring and control actions are targeting the appropriate species. Recommended actions and descriptions for noxious weed categories in the five Oregon counties crossed by the Project are as follows:

- **“Early Detection / Rapid Response (EDRR)” County Noxious Weed:** Controlled at the expense of the Baker County Weed District which includes inventorying, treating, monitoring, and other follow-up activities. Baker County is the only county within the Project that maintains an EDRR list.

- **Class “T” County Noxious Weed:** Designated as high priority from Baker County, similar to the ODA’s Class “T” category. Baker County is the only county within the Project that maintains a Class T list.
- **Class “A” County Noxious Weed:** Recommended for mandatory control county-wide in Baker, Malheur, and Morrow counties and subject to intensive control where found in Umatilla and Union counties.
- **Class “B” County Noxious Weed:** Recommended for moderate to intensive control at the county level in Baker County; subject to intensive control or eradication where feasible at the county level in Malheur and Morrow counties; limited to intensive control county-wide as determined on a case-by-case basis in Umatilla County; recommended for moderate control and/or monitoring at the county level in Union County.
- **Class “C” County Noxious Weed:** Treated at landowner’s discretion in Malheur County. Baker, Morrow, Umatilla, and Union counties do not currently list Class C noxious weeds. Class C noxious weeds are not included in this Plan or treated as part of the Project’s overall noxious weed management strategy.
- Baker, Malheur, Morrow, Umatilla, and Union county weed management agencies were contacted to inquire about noxious weeds of greatest concern in each of the counties, as well as to determine if each county requires or implements specific noxious weed control methods or best management practices.

2.2 Federal Noxious Weed Act of 1974 (as amended 1990)

The Federal Noxious Weed Act of 1974 (7 United States Code 2801-2813) defines a noxious weed as “a plant which is of foreign origin, is new to, or is not widely prevalent in the United States, and can directly or indirectly injure crops or other useful plants, livestock, or the fish and wildlife resources of the United States, or the public health.” This act directs each federal agency to develop and coordinate a management program for control of undesirable plants on federal lands under the agency’s jurisdiction.

2.3 Executive Order 13112

Executive Order 13112 (1999) directs federal agencies to: (1) identify actions that may affect the status of an invasive species; (2)(a) prevent introduction of such species; (b) detect and control such species; (c) monitor population of such species; (d) provide for restoration of native species; (e) conduct research on invasive species and develop technologies to prevent introduction of such species; (f) promote public education of such species; and (3) not authorize, fund, or carry out actions likely to cause the introduction or spread of invasive species in the United States or elsewhere unless the benefits of the action clearly outweigh the harm and the agencies take steps to minimize the harm.

2.4 U.S. Department of Agriculture, Forest Service

USFS Manual 2900 - Invasive Species Management (USFS 2011) directs each Forest Supervisor to “manage aquatic and terrestrial invasive species (including vertebrates, invertebrates, plants, and pathogens)” on all National Forest System lands. Per the manual, invasive species management activities of National Forest System lands will be conducted according to the following objectives: 1) prevention, 2) early detection and rapid response, 3) control and management, 4) restoration, and 5) organizational collaboration.

Additionally, the Decision Memo for Forest Plan Amendment #48 (USFS 2017) outlines the use of the 11 herbicides approved for use on the Wallowa-Whitman National Forest.

2.5 Bureau of Land Management

The BLM defines a noxious weed as “a plant that interferes with management objectives for a given area of land at a given point in time.” BLM Manual 9015 (BLM 1992) directs the BLM to manage noxious weeds and undesirable plants on BLM-managed lands by preventing establishment and spread of new infestations, reducing existing population levels, and managing and controlling existing stands. Required management for ground-disturbing actions includes determining the risk of spreading noxious weeds associated with the project and ensuring contracts contain provisions which hold contractors responsible for the prevention and control of noxious weeds caused by their operations if the activity is determined to be moderate to high risk. Additionally, herbicide treatment of noxious weeds on BLM-managed lands in Oregon follows the guidelines outlined in the Decision Record for Integrated Invasive Plant Management for the Vale District (BLM 2016a). The district-wide decision identified 17 herbicides available for use on BLM-managed lands crossed by the Project.

2.6 Bureau of Reclamation

The BOR is responsible for identification and proper management of pests on BOR lands in accordance with federal, state, and local policies, laws, and standards. The BOR’s Reclamation Manual (BOR 1996a, 1996b) includes standards and directives for pest management and Integrated Pest Management (Reclamation Manual ENV-01). Additionally, the Department of the Interior (DOI) Departmental Manual (609 DM 1; DOI 1995) states that “it is the DOI’s policy to control undesirable plants on the lands, waters, or facilities under its jurisdiction to the extent economically practicable and as needed for resource/environmental protection and enhancement, as well as the accomplishment of resource management objectives and the protection of human health.” This manual also provides directives and standards for control of undesirable plants and implementation of Integrated Pest Management programs on DOI lands including BOR land. In keeping with this policy, the use of Integrated Pest Management techniques is emphasized. These techniques combine the use of chemical controls (pesticides), mechanical controls (mowing, pulling), environmental controls (cultural methods), and biological controls (insects).

3.0 NOXIOUS WEEDS IN THE SITE BOUNDARY

This section of the Plan describes the known status of noxious weed species within the Site Boundary based on existing information, as well as results of field surveys of the Site Boundary. Ongoing preconstruction noxious weed inventories including preliminary results are discussed in Section 4.0. Section 3.1 discusses the state of Oregon listed noxious weeds that have the potential to occur in the counties crossed by the Project. Section 3.2 discuss the noxious weed lists in the counties crossed by the Project. Section 3.3 discusses the noxious weeds species identified within the Site Boundary based on existing BLM and USFS databases and those observed during preliminary field surveys.

3.1 Oregon State Noxious Weeds Lists

The ODA updates the state of Oregon noxious weed list regularly (ODA 2022). Currently, 144 plant species are listed as noxious in Oregon. Oregon state listed weeds form the primary basis for the species that the inventory, control, and monitoring discussed in this Plan is applicable to.

3.2 County Noxious Weeds Lists

In addition to the state list of noxious weeds, the five Oregon counties (Malheur, Baker, Union, Umatilla, and Morrow) crossed by the Project each maintain separate county designated noxious weed list (Malheur County Weed Advisory Board 2019; Baker County Weed District 2022; Union County Weed Control 2022; Umatilla County Road Department 2017; Morrow County Weed Advisory Board 2022). While the county weed lists overlap with the state list of noxious weeds for many species, each county has listed weeds that are not on the overall state list. The county weeds lists are updated sporadically, as new weeds of concern are identified as species of potential concern in their respective counties.

Table 1 lists the Oregon state and county listed noxious weeds known to occur within the counties that will be crossed by the Project. This list is based on information obtained from publicly available sources including the Oregon WeedMapper (ODA 2016a), Oregon Noxious Weed Profiles (ODA 2016b), the INVADERS database (University of Montana-Missoula 2016), and the U.S. Department of Agriculture Natural Resources Conservation Service PLANTS database (NRCS 2016). Based on these sources, 84 state and/or county listed noxious weed species have the potential to occur within the Site Boundary (Table 1). C listed weeds (applicable to Malheur County only) are not included in the table because they will not be treated as part of the Project's noxious weed management strategy.

Table 1. Designated Noxious Weeds Known to Occur or with the Potential to Occur within the Site Boundary

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Abutilon theophrasti</i>	Velvetleaf	B	EDRR (Baker)	Baker, Union
<i>Acroptilon repens</i> (<i>Centaurea repens</i>)	Russian knapweed	B	A (Union) A,T (Baker) B (Malheur ² , Morrow, Umatilla)	Baker, Malheur, Morrow, Umatilla, Union
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	A (Malheur) B (Baker, Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Ailanthus altissima</i>	Tree of heaven	B	B (Baker)	Baker, Malheur, Morrow, Umatilla, Union
<i>Alhagi maurorum</i> (<i>A. pseudalhagi</i>)	Camelthorn	A	EDRR (Baker) A (Umatilla)	Umatilla
<i>Alliaria petiolata</i>	Garlic mustard	B, T	A (Umatilla)	Umatilla
<i>Ambrosia artemisiifolia</i>	Ragweed	B	EDRR (Baker County) B (Umatilla)	Malheur, Morrow, Umatilla, Union
<i>Amorpha fruticosa</i>	Indigo bush	B	B (Baker)	Baker, Malheur, Morrow, Umatilla
<i>Anchusa officinalis</i>	Common bugloss	B, T	EDRR (Baker) A (Union, Umatilla)	Baker, Umatilla, Union
<i>Bassia scoparia</i> (<i>Kochia scoparia</i>)	Kochia; burning bush	B	B (Morrow, Umatilla) Agricultural Class B ³ (Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Buddleja davidii</i> (<i>B. variabilis</i>)	Butterfly bush	B	EDRR (Baker)	Umatilla
<i>Butomus umbellatus</i>	Flowering rush	A, T	EDRR/T (Baker) A (Morrow, Umatilla)	Umatilla
<i>Cannabis sativa</i>	Marijuana	–	A (Umatilla)	Malheur
<i>Cardaria chalepensis</i> (<i>Lepidium chalepensis</i>)	Lens-podded whitetop	B	EDRR (Baker)	Malheur
<i>Cardaria draba</i> (<i>Lepidium draba</i>)	Whitetop; hoary cress	B	A (Baker, Morrow, Union) B (Malheur, Umatilla)	Baker, Malheur, Morrow, Umatilla, Union

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Carduus nutans</i>	Musk thistle	B	EDRR (Baker) A (Morrow) B (Malheur, Umatilla)	Baker, Malheur, Morrow, Umatilla, Union
<i>Centaurea calcitrapa</i>	Purple starthistle	A, T	EDRR, T (Baker) A (Malheur, Umatilla)	Umatilla
<i>Centaurea diffusa</i>	Diffuse knapweed	B	A, T (Baker) A (Malheur,) B (Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Centaurea nigrescens</i> (<i>C. debeauxii</i> ; <i>C. jacea x nigra</i> ; <i>C. pratensis</i>)	Meadow knapweed Short-fringe knapweed	B	EDRR (Baker) A (Malheur, Umatilla, Union)	Baker, Umatilla, Union
<i>Centaurea solstitialis</i>	Yellow starthistle	B	A, T (Baker) A (Malheur, Morrow, Union) B (Umatilla)	Baker, Malheur, Morrow, Umatilla, Union
<i>Centaurea stoebe</i> subsp. <i>micranthos</i> (<i>C. maculosa</i>)	Spotted knapweed	B, T	A, T (Baker) A (Malheur, Umatilla) B (Morrow, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Centaurea virgata</i> (<i>C. triumfetti</i>)	Squarrose knapweed	A, T	EDRR, T (Baker) A (Malheur)	Baker, Malheur, Union
<i>Centromadia pungens</i> subsp. <i>pungens</i> ⁴ (<i>Hemizonia pungens</i>)	Spikeweed; common tarweed	B	EDRR (Baker) A (Morrow, Umatilla)	Morrow, Umatilla
<i>Chondrilla juncea</i>	Rush skeletonweed	B, T	A, T (Baker) A (Morrow, Umatilla, Union) B (Malheur)	Baker, Malheur, Morrow, Umatilla, Union
<i>Cichorium intybus</i>	Chicory	–	B (Baker)	Morrow, Umatilla, Union
<i>Cicuta douglasii</i>	Water hemlock	–	B (Morrow)	Malheur, Morrow, Umatilla, Union
<i>Cirsium arvense</i>	Canada thistle	B	B (Baker, Malheur, Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Cirsium vulgare</i>	Bull thistle	B	B (Baker) Agricultural Class B ³ (Union)	Baker, Malheur, Morrow, Umatilla, Union

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Conium maculatum</i>	Poison hemlock	B	A, T (Baker) B (Morrow, Umatilla) Agricultural Class B ³ (Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Convolvulus arvensis</i>	Field bindweed	B	B (Baker)	Baker, Malheur, Morrow, Umatilla, Union
<i>Coryza canadensis</i>	Horseweed; mares tail	–	A, T (Baker) Agricultural Class B ³ (Union)	Malheur, Union
<i>Crupina vulgaris</i>	Common crupina	B	A, T (Baker) A (Malheur, Morrow, Union, Umatilla)	Baker, Umatilla
<i>Cuscuta</i> spp.	Dodder	A (<i>C. japonica</i>) B (<i>C. approximata</i> , <i>C. indecora</i> , <i>C. pentagona</i>)	EDRR (Baker) B (Morrow [<i>C. campestris</i>]) Umatilla [<i>C. pentagona</i>])	Baker, Malheur, Morrow, Umatilla, Union
<i>Cynoglossum officinale</i>	Houndstongue	B	A, T (Baker) A (Morrow) B (Malheur,) Agricultural Class B ³ (Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Cyperus esculentus</i>	Yellow nutsedge	B	EDRR (Baker)	Malheur, Morrow, Umatilla
<i>Cytisus scoparius</i>	Scotch broom	B	EDRR (Baker) A (Union)	Baker, Umatilla, Union
<i>Datura stramonium</i>	Jimsonweed	–	A (Malheur)	Morrow, Union
<i>Dipsacus fullonum</i>	Fuller's teasel	–	B (Baker)	Baker, Morrow, Umatilla, Union
<i>Elymus repens</i> (<i>Agropyron repens</i>)	Quackgrass	–	B (Umatilla) Agricultural Class B ³ (Union)	Malheur, Umatilla
<i>Euphorbia esula</i>	Leafy spurge	B, T	A, T (Baker) A (, Malheur, Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Euphorbia myrsinites</i>	Myrtle spurge	B	A (Umatilla,) B (Baker, Morrow)	Baker, Malheur, Morrow, Umatilla, Union

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Galium aparine</i> ⁹	Catchweed bedstraw	–	Agricultural Class B ³ (Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Halogeton glomeratus</i>	Halogeton	B	EDRR (Baker)	Malheur
<i>Hedera helix</i>	English ivy	B	EDRR (Baker)	Union
<i>Hieracium aurantiacum</i> (<i>Pilosella aurantiacum</i>)	Orange hawkweed	A, T	EDRR, T (Baker) A (Union)	Morrow, Union
<i>Hieracium caespitosum</i> (<i>H. pratense</i> ; <i>Pilosella caespitosum</i>)	Meadow hawkweed	B, T	EDRR, T (Baker) A (Union)	Umatilla, Union
<i>Hieracium piloselloides</i> (<i>Pilosella piloselloides</i>)	King-devil hawkweed Tall hawkweed	A	EDRR (Baker) A (Union)	Umatilla
<i>Hyoscyamus niger</i>	Black henbane	–	EDRR (Baker)	Baker, Morrow, Umatilla
<i>Hypericum perforatum</i>	St. Johnswort; Klamathweed	B	A (Malheur) B (Baker, Morrow, Umatilla) Agricultural Class B (Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Iris pseudacorus</i>	Yellow flag iris	B	A, T (Baker) A (, Morrow, Umatilla, Union)	Baker, Malheur, Umatilla, Union
<i>Isatis tinctoria</i>	Dyer's woad	B	EDRR (Baker)	Baker, Malheur, Umatilla, Union
<i>Lathyrus latifolius</i>	Perennial peavine	B	EDRR (Baker)	Baker, Morrow, Umatilla, Union
<i>Lepidium latifolium</i>	Perennial pepperweed	B, T	A, T (Baker) A (Malheur ⁵ , Union) B (Malheur ⁵ , Morrow)	Baker, Malheur, Morrow, Umatilla, Union
<i>Linaria dalmatica</i>	Dalmatian toadflax	B, T	A Malheur, Morrow) B (Baker, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Linaria vulgaris</i>	Yellow toadflax	B	A, T (Baker) A (Malheur, Morrow)	Baker, Morrow, Umatilla, Union
<i>Lythrum salicaria</i>	Purple loosestrife	B	EDRR (Baker) A (Morrow, Umatilla) B (Malheur, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil	B	EDRR (Baker)	Morrow, Umatilla, Union

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Onopordum acanthium</i>	Scotch thistle	B	A (, Morrow) B (Baker, Malheur, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Orobanche minor</i>	Small broomrape	B	EDRR (Baker)	Baker
<i>Panicum miliaceum</i>	Wild proso millet	–	A (Malheur)	Baker
<i>Phalaris arundinacea</i>	Reed canarygrass; ribbongrass	B, T	B (Baker)	Baker, Malheur, Morrow, Union
<i>Phragmites australis</i>	Common reed	B	EDRR (Baker)	Malheur, Morrow, Umatilla, Union
<i>Polygonum cuspidatum</i> (<i>Fallopia japonica</i>)	Japanese knotweed	B	EDRR (Baker) A (Union, Umatilla)	Baker, Malheur. Morrow, Umatilla, Union
<i>Polygonum sachalinensis</i> (<i>Fallopia sachalinense</i>)	Giant knotweed	B	EDRR (Baker) A (Union)	Morrow, Umatilla
<i>Potentilla recta</i>	Sulfur cinquefoil	B	A (Malheur) B (Baker, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Rorippa sylvestris</i>	Creeping yellow cress	B	EDRR (Baker) A (Umatilla)	Morrow, Umatilla, Union
<i>Rubus armeniacus</i>	Armenian (Himalayan) blackberry	B		Baker, Malheur, Morrow, Umatilla, Union
<i>Salsola tragus</i> (<i>S. iberica</i> ; <i>S. kali</i>)	Russian thistle	–	B (Baker) Agricultural Class B ³ (Union)	Malheur, Morrow, Umatilla
<i>Salvia aethiopsis</i>	Mediterranean sage	B	EDRR (Baker) A (Malheur, Morrow) B (Umatilla)	Baker, Malheur, Morrow, Umatilla Union
<i>Secale cereal</i>	Cereal rye	–	B (Morrow, Umatilla)	Union
<i>Senecio jacobaea</i>	Tansy ragwort	B, T	A, T (Baker) A (Malheur, Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Silybum marianum</i>	Milk thistle	B	EDRR (Baker) A (Malheur)	Umatilla
<i>Solanum elaeagnifolium</i>	Silverleaf nightshade	A	A (Malheur)	Baker, Umatilla
<i>Solanum rostratum</i>	Buffalobur	B	EDRR, T (Baker) A (Malheur)	Baker, Malheur, Umatilla, Union
<i>Sonchus arvensis</i>	Perennial sowthistle	–	B (Morrow)	Baker, Morrow, Umatilla

Scientific Name (Synonym Name)	Common Name	Oregon State Noxious Weed Category	Oregon County Noxious Weed Category ¹	Project Counties in Which Known to Occur
<i>Sorghum halepense</i>	Johnsongrass	B	EDRR (Baker) A (Malheur) B (Morrow, Umatilla)	Malheur, Morrow, Umatilla
<i>Sphaerophysa salsula</i>	Swainsonpea; Alkali swainsonpea	B	A (Malheur) B (Umatilla)	Morrow, Umatilla
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	A (Union) B (Baker, Morrow)	Baker, Malheur, Morrow, Umatilla, Union
<i>Tamarix ramosissima</i>	Saltcedar	B, T	A (Baker) B (Malheur)	Baker, Malheur, Morrow, Umatilla, Union
<i>Tanacetum vulgare</i>	Common tansy	–	B (Baker)	Baker, Umatilla
<i>Tribulus terrestris</i>	Puncturevine	B	B (Baker, Morrow, Umatilla, Union)	Baker, Malheur, Morrow, Umatilla, Union
<i>Ventenata dubia</i>	Ventenata; North Africa grass	–	B (Baker, Morrow, Union)	Baker, Umatilla, Union
<i>Verbascum thapsus</i>	Common mullein	–	B (Baker)	Baker, Umatilla, Union
<i>Xanthium spinosum</i>	Spiny cocklebur	B	EDRR (Baker) A (Malheur)	Baker, Malheur, Morrow, Umatilla, Union

¹ This column includes county listed noxious weeds for the five counties in Oregon crossed by the Project.

² Owners or occupants in Malheur County with Russian knapweed infestations are required to control a minimum 20 percent of their annual infestation per discrete parcel of land per year. This includes a 50-foot buffer plus additional amounts that total 20 percent of the infestation.

³ Agricultural Class B is defined as "...a weed of economic importance, specifically in Union county agriculture, which is both locally abundant and abundant in neighboring counties."

⁴ Considered native in California, but introduced in Oregon (Baldwin and Strother 2006; Jaster et al. 2016).

⁵ Perennial pepperweed is a "B" weed in the portion of Malheur County that the Project overlaps, though considered an "A" weed in a portion of Malheur County south of the Project.

3.3 Preliminary Noxious Weed Inventories and Surveys

Surveys for Oregon State and/or Baker, Malheur, Morrow, Umatilla, or Union county listed noxious weeds were conducted within the Site Boundary between 2011 through 2016 (ASC, Exhibit P1, Attachment P1-7a, Biological Survey Summary Report). Populations of target noxious weeds (i.e., species on the state or county lists) observed were mapped using Trimble Global Positioning System (GPS) units. Additionally, existing site-specific disturbances and land uses (e.g., grazing, grading, etc.) that could be contributing to the introduction, spread, or viability of weed populations were also recorded. Surveys were based on the current state and county noxious weed lists at the time of the surveys; therefore, some species listed in Table 1 were not surveyed for in all years.

Approximately 67 percent of the Site Boundary was surveyed during Terrestrial Visual Encounter Surveys, which included surveys for noxious weeds, conducted between 2011 through 2016. Surveys were conducted in areas with signed right-of-entry agreements. A preconstruction noxious weed inventory of areas that will be disturbed during construction is currently in progress (see Section 3.3).

In addition to surveys of the Site Boundary conducted by Tetra Tech between 2011 through 2016, the BLM National Invasive Species Information Management System and USFS Current Invasive Plants Inventory databases (BLM 2016b; USFS 2016) were queried to determine known populations of noxious weeds within the Site Boundary. Thirty-six noxious weed species observed within the Site Boundary during the 2011 through 2016 field surveys or recorded as occurring within the Site Boundary in the BLM and USFS databases.

Table 2. Oregon State and County Listed Noxious Weeds Observed during 2011–2016 Field Surveys or From Existing Databases

Scientific Name (Synonym Name)	Common Name	Counties Where Observed ¹
<i>Acroptilon repens</i> (<i>Centaurea repens</i>)	Russian knapweed	Morrow
		Umatilla
		Union
<i>Aegilops cylindrica</i>	Jointed goatgrass	Baker
		Umatilla
		Union
<i>Ailanthus altissima</i>	Tree of heaven	Umatilla
<i>Bassia scoparia</i> (<i>Kochia scoparia</i>)	Kochia; burning bush	Baker
		Malheur
		Morrow
		Umatilla
<i>Cardaria draba</i> (<i>Lepidium draba</i>)	Whitetop; hoary cress	Union
		Baker
		Malheur
		Union
<i>Carduus nutans</i>	Musk thistle	Baker
		Malheur
		Union

Scientific Name (Synonym Name)	Common Name	Counties Where Observed ¹
<i>Centaurea diffusa</i>	Diffuse knapweed	Baker
		Malheur
		Morrow
		Umatilla
		Union
<i>Centaurea stoebe subsp. micranthos</i> (<i>C. maculosa</i>)	Spotted knapweed	Baker
		Malheur
		Morrow
		Umatilla
<i>Centromadia pungens subsp. pungens</i> (<i>Hemizonia pungens</i>)	Spikeweed; common tarweed	Morrow
<i>Ceratocephala testiculata</i> (<i>Ranunculus testiculatus</i>)	Bur buttercup	Baker
		Malheur
		Umatilla
<i>Chondrilla juncea</i>	Rush skeletonweed	Baker
		Malheur
		Morrow
<i>Cichorium intybus</i>	Chicory	Baker
		Union
<i>Cirsium arvense</i>	Canada thistle	Baker
		Malheur
		Morrow
		Umatilla
		Union
<i>Cirsium vulgare</i>	Bull thistle	Baker
		Morrow
		Umatilla
		Union
<i>Conium maculatum</i>	Poison hemlock	Baker
		Morrow
		Umatilla
<i>Convolvulus arvensis</i>	Field bindweed	Baker
		Malheur
		Umatilla
		Union
<i>Cynoglossum officinale</i>	Houndstongue	Baker
		Umatilla
		Union

Scientific Name (Synonym Name)	Common Name	Counties Where Observed ¹
<i>Dipsacus fullonum</i>	Fuller's teasel	Baker
		Morrow
		Umatilla
		Union
<i>Euphorbia esula</i>	Leafy spurge	Baker
<i>Galium aparine</i>	Catchweed bedstraw	Baker
		Union
<i>Halogeton glomeratus</i>	Halogeton	Malheur
		Umatilla
<i>Hypericum perforatum</i>	Klamathweed; St. Johnswort	Baker
		Umatilla
		Union
<i>Lepidium latifolium</i>	Perennial pepperweed	Baker
		Malheur
<i>Linaria dalmatica</i>	Dalmatian toadflax	Malheur
<i>Linaria vulgaris</i>	Yellow toadflax	Umatilla
<i>Melilotus officinalis</i>	Sweet clover	Baker
		Malheur
		Umatilla
<i>Onopordum acanthium</i>	Scotch thistle	Baker
		Malheur
		Morrow
		Umatilla
		Union
<i>Potentilla recta</i>	Sulfur cinquefoil	Baker
		Union
<i>Salsola tragus</i> (<i>S. iberica</i> ; <i>S. kali</i>)	Russian thistle	Baker
		Malheur
		Morrow
		Umatilla
		Union
<i>Salvia aethiopsis</i>	Mediterranean sage	Malheur
<i>Taeniatherum caput-medusae</i>	Medusahead rye	Baker
		Malheur
		Morrow
		Umatilla
		Union

Scientific Name (Synonym Name)	Common Name	Counties Where Observed¹
<i>Tamarix ramosissima</i>	Saltcedar	Malheur
		Umatilla
<i>Tribulus terrestris</i>	Puncturevine	Baker
		Union
<i>Ventenata dubia</i>	Ventenata; North Africa grass	Baker
		Union
<i>Verbascum blattaria</i>	Moth mullein	Baker
		Malheur
		Umatilla
<i>Verbascum thapsus</i>	Common mullein	Baker
		Malheur
		Umatilla
		Union

¹ Not every noxious weed listed is considered noxious in the state of Oregon or in every county where observed. Refer to Table 1 for state and county designations.

4.0 PRECONSTRUCTION NOXIOUS WEED INVENTORY

4.1 Procedures for Preconstruction Inventory

Prior to commencement of preconstruction noxious weed surveys, IPC contacted appropriate land management agencies (USFS, BLM, ODA, various county weed boards) to review noxious weed lists, discuss noxious weed identification, and exchange existing data on known noxious weed locations.

- The Malheur County Weed Inspector provided information on known noxious weed infestations within the Site Boundary.
- The Baker County Weed Supervisor provided commentary on weeds of concern in the vicinity of the Project and offered to meet with the survey crew in the field. The survey crew met with the Baker County Weed Supervisor during the 2022 field season to observe the survey, discuss methods, and plant identification.
- The Union County Weed Supervisor provided an updated noxious weed list and expressed concern of noxious weed spread via the Project's multi-use areas and other locations where vehicles are planned to be staged.
- The Morrow County Weed Coordinator/Inspector provided an updated noxious weed list and a list of weed species of particular concern within the Site Boundary.
- The Morrow County Weed Supervisor did not provide any additional information.
- The survey crew met with a BLM noxious weed representative during the 2022 field season to observe the survey, discuss methods, and plant identification.

In the spring of 2022, Tetra Tech (on behalf of IPC) met with county weed representatives to briefly discuss concerns related to noxious weed spread associated with the Project. Spread of noxious weeds via the Project's multi-use and other vehicle staging areas was identified as a particular concern.

Populations of target noxious weeds (i.e., species on the state or county lists) observed were mapped using GPS-enabled tablets running Esri's Field Maps software. Additionally, existing site-specific disturbances and land uses (e.g., grazing, grading, etc.) that could be contributing to the introduction, spread, or viability of weed populations were also recorded. Phenology, general habitat, and noxious weed abundance were also recorded for each population mapped. Surveys were based on the current state and county noxious weed lists at the time of the surveys. Only weeds listed in their respective state or county were recorded (e.g., cereal rye is not listed by Idaho, Oregon, Malheur, Baker, or Union counties; therefore, populations were only recorded in Umatilla and Morrow counties). C listed weeds in Malheur County will not be treated as part of the Project's overall noxious weed management strategy and were therefore not included as part of the inventory. The surveys were conducted from May to August during the growing season that is appropriate for observing and identifying noxious weed species. Surveyors were trained to identify Oregon flora, specifically native plants, noxious weeds and threatened and endangered plant species. IPC conducted the preconstruction noxious weed inventory throughout the site boundary.

4.2 Results of Preconstruction Inventory

In 2022, 34 unique noxious weed species were observed across 2,627 populations throughout the surveyed portion of the Project. Approximately 40 percent of the Project remains to be surveyed. The remaining preconstruction inventory is planned for the 2023 field season (April to

June). Appendix A includes a series of maps showing results of the 2022 preconstruction noxious weed inventories. Table 2 shows the noxious weeds observed during the 2022 preconstruction inventory including their regulatory status broken down by county. Differences in the species observed during the 2023 preconstruction inventories and the preliminary noxious weed surveys (terrestrial visual encounter surveys) are due to additions/subtractions to the noxious weed lists and changes in the surveyed areas (both due to Project design changes and right-of-entry issues). Additional details and results of the noxious weed inventory and survey are available in the 2022 Noxious Weed Survey Report (Tetra Tech 2022). A 2023 Noxious Weed Survey Report will be prepared in early July of 2023 immediately following the conclusion of the survey.

Locations of noxious weed infestations will be provided to the Construction Contactor(s) to aid in their development of specific noxious weed treatment strategies.

Table 3. Noxious Weeds Observed During 2022 Preconstruction Inventory

Scientific Name	Common Name	State Status	County Status
Baker County, Oregon			
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	B
<i>Bassia scoparia</i>	Kochia	B	N/A
<i>Centaurea stoebe</i>	Spotted knapweed	B (T)	A (T)
<i>Chondrilla juncea</i>	Rush skeletonweed	B (T)	A (T)
<i>Cichorium intybus</i>	Chicory	N/A	B
<i>Conium maculatum</i>	Poison hemlock	B	A (T)
<i>Convolvulus arvensis</i>	Field bindweed	B	B
<i>Cynoglossum officinale</i>	Houndstounge	B	A (T)
<i>Euphorbia esula</i>	Leafy spurge	B (T)	A (T)
<i>Lepidium draba</i>	Whitetop	N/A	A
<i>Lepidium pubescens</i>	Hairy whitetop	B	EDRR
<i>Onopordum acanthium</i>	Scotch thistle	B	B
<i>Salsola tragus</i>	Russian thistle	N/A	B
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	B
<i>Tribulus terrestris</i>	Puncturevine	B	B
<i>Ventenata dubia</i>	Ventanata	B	B
Malheur County, Oregon			
<i>Acroptilon repens</i>	Russian knapweed	B	B
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	A
<i>Apocynum cannabinum</i>	Hemp dogbane	N/A	B
<i>Bassia scoparia</i>	Kochia	B	N/A
<i>Centaurea diffusa</i>	Diffuse knapweed	B	A
<i>Centaurea stoebe</i>	Spotted knapweed	B (T)	A
<i>Chondrilla juncea</i>	Rush skeletonweed	B (T)	B
<i>Cirsium arvense</i>	Canada thistle	B	B
<i>Cirsium vulgare</i>	Bull thistle	B	N/A
<i>Conium maculatum</i>	Poison hemlock	B	N/A

Scientific Name	Common Name	State Status	County Status
<i>Convolvulus arvensis</i>	Field bindweed	B	N/A
<i>Halogeton glomeratus</i>	Halogeton	B	N/A
<i>Lepidium chalepensis</i>	Lens-podded whitetop	B	N/A
<i>Lepidium draba</i>	Whitetop	N/A	B
<i>Lepidium latifolium</i>	Perennial pepperweed	B (T)	A
<i>Lepidium pubescens</i>	Hairy whitetop	B	N/A
<i>Onopordum acanthium</i>	Scotch thistle	B	B
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	N/A
<i>Tamarix ramosissima</i>	Saltcedar	B (T)	B
<i>Tribulus terrestris</i>	Puncturevine	B	B
Morrow County, Oregon			
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	B
<i>Ambrosia artemisiifolia</i>	Ragweed	N/A	B
<i>Bassia scoparia</i>	Kochia	B	B
<i>Centaurea diffusa</i>	Diffuse knapweed	B	B
<i>Centaurea solstitialis</i>	Yellow starthistle	B	B
<i>Chondrilla juncea</i>	Rush skeletonweed	B	B
<i>Cirsium arvense</i>	Canada thistle	B	B
<i>Conium maculatum</i>	Poison hemlock	B	B
<i>Convolvulus arvensis</i>	Field bindweed	B	B
<i>Hypericum perforatum</i>	St. Johnswort	B	N/A
<i>Onopordum acanthium</i>	Scotch thistle	B (T)	A
<i>Secale cereal</i>	Cereal rye	B	A
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	B
<i>Tribulus terrestris</i>	Puncturevine	B	B
<i>Ventenata dubia</i>	Ventenata	B	A
Umatilla County, Oregon			
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	B
<i>Bassia scoparia</i>	Kochia	B	B
<i>Centaurea diffusa</i>	Diffuse knapweed	B	B
<i>Centaurea solstitialis</i>	Yellow starthistle	B	B
<i>Chondrilla juncea</i>	Rush skeletonweed	B (T)	A
<i>Cirsium arvense</i>	Canada thistle	B	B
<i>Cirsium vulgare</i>	Bull thistle	B	N/A
<i>Conium maculatum</i>	Poison hemlock	B	B
<i>Convolvulus arvensis</i>	Field bindweed	B	N/A
<i>Cynoglossum officinale</i>	Houndstounge	B	N/A
<i>Hypericum perforatum</i>	St. Johnswort	B	B
<i>Lepidium draba</i>	Whitetop	N/A	B
<i>Onopordum acanthium</i>	Scotch thistle	B	B
<i>Potentilla recta</i>	Sulfur cinquefoil	B	N/A

Scientific Name	Common Name	State Status	County Status
<i>Rubus armeniacus</i>	Armenian/Himalayan blackberry	B	N/A
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	N/A
<i>Ventenata dubia</i>	Ventenata	B	N/A
Union County, Oregon			
<i>Aegilops cylindrica</i>	Jointed goatgrass	B	Agricultural Class B
<i>Bassia scoparia</i>	Kochia	B	B
<i>Centaurea diffusa</i>	Diffuse knapweed	B	B
<i>Centaurea stoebe</i>	Spotted knapweed	B	N/A
<i>Cirsium arvense</i>	Canada thistle	B	Agricultural Class B
<i>Cirsium vulgare</i>	Bull thistle	B	B
<i>Convolvulus arvensis</i>	Field bindweed	B	Agricultural Class B
<i>Conyza canadensis</i>	Horseweed	B	A
<i>Cynoglossum officinale</i>	Houndstounge	B	B
<i>Hypericum perforatum</i>	St. Johnswort	B (T)	B
<i>Lepidium draba</i>	Whitetop	B	Agricultural Class B
<i>Onopordum acanthium</i>	Scotch thistle	B	A & B
<i>Potentilla recta</i>	Sulfur cinquefoil	B	
<i>Taeniatherum caput-medusae</i>	Medusahead rye	N/A	A
<i>Ventenata dubia</i>	Ventenata	B	Agricultural Class B

5.0 NOXIOUS WEED MANAGEMENT

This section of the Plan describes the steps IPC will take to prevent and control the establishment and spread of noxious weeds during both construction and O&M of the Project. For EFSC purposes, IPC will only be responsible for controlling noxious weeds that are within Project ROWs and that are a result of the company's construction- or operation-related, surface-disturbing activities in the following areas:

- Transmission line: Entirety of the ROWs and/or easements;
- New roads: Entirety of the ROWs and/or easements;
- Existing roads needing substantial improvement: Only areas involving ground-disturbing construction and/or improvement (e.g., new cutouts);
- Communication stations: Entirety of the ROWs and/or easements;
- Multi-use areas: Entirety of the temporary ROWs and/or licenses; and
- Pulling and tensioning sites: Entirety of the temporary ROWs and/or licenses.

For EFSC purposes, IPC is not responsible for controlling noxious weeds that occur outside of the Project ROWs or for controlling or eradicating noxious weeds present prior to the Project. With respect to pre-existing noxious weed infestations, IPC recognizes ORS Chapter 569 imposes onto occupiers of land within a weed district certain obligations to control and prevent weeds; if IPC identifies pre-existing weed infestations within a Project ROW, IPC will work with the landowner or land management agency to address the same consistent with ORS Chapter 569.

As described further in Section 1.2, this Plan is applicable to all state, county, and private lands on portions of the Project in Oregon. Federally managed lands will have their own noxious weed management plan which will describe weed control on those lands. Existing populations of noxious weeds identified during the preconstruction 2022 and 2023 inventories within Project disturbance areas will be treated and monitored where warranted during the construction and O&M of Project facilities. If Project activities cause an existing noxious weed population to exceed the extent identified and delineated during the preconstruction 2022 and 2023 inventories, IPC and the Construction Contractor(s) will be responsible for controlling and monitoring the population during O&M.

IPC and the Construction Contractor(s) will also be responsible for treating any new populations of noxious weeds that are located within a Project disturbance area during the construction and O&M of Project facilities. However, neither IPC nor the Construction Contractor(s) will be responsible for treating and monitoring weeds that occur outside of Project disturbance areas

The management of noxious weeds will be considered throughout all stages of the Project and will include:

- Educating construction personnel regarding locations of noxious weed infestations and the importance of preventive measures and treatment methods.
- Implementing measures to prevent the spread of noxious weeds during construction, and O&M activities.
- Treating noxious weed infestations both before and after Project construction, when appropriate and warranted. See Section 5.3 for additional details.
- Weed control and prevention measures will adhere to all agency standards and guidelines.

5.1 Education and Personnel Requirements

Prior to construction, construction personnel will be instructed on the importance of controlling noxious weeds. As part of start-up activities, and to help facilitate the avoidance of existing infestations and identification of new infestations, IPC will provide information and training to construction personnel regarding noxious weed identification and management. The importance of preventing the spread of noxious weeds in areas not currently infested and controlling the proliferation of noxious weeds already present in the Project ROW will be emphasized.

All contractors or personnel conducting noxious weed management actions will have training and/or experience in noxious weed identification and management prior to beginning work in that role on the Project. Herbicide applicators will be appropriately licensed or be certified in the state of Oregon to work under the direct supervision of a certified/licensed applicator, as required by the State.

IPC will ensure that noxious weed management actions will be carried out by specialists with the following qualifications:

- Experience in native plant, non-native and invasive plants, and noxious weed identification specific to listed noxious weeds per affected county;
- Experience in noxious weed mapping;
- If chemical control is used, specialists must possess a Commercial or Public Pesticide Applicator License from the ODA or possess an Immediately Supervised Pesticide Trainee License and be supervised by a licensed applicator;
- Training in weed management or Integrated Pest Management with an emphasis in weeds; and
- Experience in coordination with agency and private landowners.

5.2 Prevention

Measures will be implemented to prevent the spread of noxious weeds during construction activities, reclamation efforts, and O&M activities. Detailed information regarding reclamation is contained in the Reclamation and Revegetation Plan (IPC 2023a).

Prior to all ground-disturbing activities, the following noxious weed measures will be implemented:

- Construction personnel will be educated regarding locations of noxious weed infestations and the importance of preventive measures and treatment methods.
- Based on the preconstruction noxious weed inventory and working in conjunction with the appropriate land management agencies and state and county weed districts, IPC will identify areas where preconstruction noxious weed control measures will be implemented.
- Areas of noxious weed infestations that were not adequately controlled by preconstruction treatment will have signage that a noxious weed area is being entered. Adequate control will be based on the best professional judgment of the Project's weed management specialist.
- Where preconstruction surveys have identified noxious weeds, topsoil and other soils will be placed next to the infested area and clearly identified as coming from an infested area.
- Movement of stockpiled vegetation and salvaged topsoil from noxious weed areas will be prohibited to eliminate the transport of noxious weed propagules.

- Prior to arrival at the work site, all vehicles and equipment will be cleaned using high-pressure equipment. Compressed air will be primarily used at cleaning stations.
- If the use of compressed air is not feasible or appropriate due to site or vehicle conditions, water will be used at the vehicle cleaning stations.
- Construction personnel will inspect, remove, and appropriately dispose of weed seed and plant parts found on their clothing and equipment.

5.2.1 Vehicle Cleaning

To prevent the spread of noxious weeds during construction, all vehicles and equipment will be cleaned using compressed air or high-pressure water prior to arrival to the work sites. The cleaning activities will concentrate on tracks, feet, or tires and the undercarriage with special emphasis on axles, frame, cross members, motor mounts, underneath steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs and toolboxes will be swept, vacuumed, or blown out. Additionally, when moving from noxious weed-contaminated areas to other areas along the transmission line ROW that do not contain the same noxious weed, all construction vehicles and equipment will be recleaned before entering the new locations. All cleaning of construction vehicles and equipment must be performed in cleaning stations approved by applicable land management agencies.

Upon arrival to the Project, all vehicles and equipment must be inspected by the vehicle operator. The vehicle operator will ensure that all vehicles and equipment are free of soil and debris capable of transporting noxious weed propagules before the vehicles are allowed to use Project access roads. Vehicle operators will be briefed on the location of cleaning stations and requirements at the stations for cleaning vehicle exteriors and interiors and personnel clothing. The Environmental Inspectors have the authority to refuse entry to Project access roads and/or work areas for those vehicles that are not cleaned.

In addition to training, the following are requirements for ensuring that vehicles, equipment, and personnel are weed free when moving about the Project:

- Vehicles, equipment, and clothing must be cleaned of propagules and weed-free prior to arrival at the Project and upon departure from the Project.
- Vehicle cleaning stations will be located throughout the Project including within each multi-use area. Cleaning stations will be located at other appropriate areas as deemed necessary by the applicable agencies.
- When moving from noxious weed-contaminated areas to other areas along the transmission line ROW that do not contain the same noxious weed, all construction vehicles and equipment will be recleaned before entering the new locations.
- When working in areas that are bladed, vehicle cleaning prior to leaving the area or when moving through the area is not required.
- When working in infested areas that are not bladed, vehicles and equipment will be cleaned at approved cleaning stations prior to leaving the infested area.

5.2.2 Flagging and Restricted Access

Prior to construction, noxious weeds identified during the 2022 and 2023 inventories that were not adequately controlled during preconstruction treatment of target populations will have signage stating noxious weeds are present in the area. This signage will alert construction personnel to the presence of noxious weeds and will prevent access to these areas until noxious weed control measures, as applicable, have been implemented.

During construction, new and existing noxious weeds either surveyed for or incidentally observed within the Project area will be recorded and used to update the 2022 and 2023 noxious weed inventories. The updated noxious weed inventory will be included in the annual report as detailed in Section 6.0.

5.2.3 Soil Management

Where preconstruction surveys have identified noxious weed infestations, topsoil and other soils will be placed next to the infested area and clearly identified as coming from an infested area. Movement of stockpiled vegetation and salvaged topsoil from noxious weed-infested areas will be prohibited to eliminate the transport of soil-borne noxious weed propagules. Topsoil from infested areas should not be spread in adjacent non-infested areas. If the topsoil is not suitable for backfill, it will be used within the area of disturbance from which it originated. As directed by the applicable land management agency, additional treatments (i.e., pre-emergent pesticides) may be required to prevent return of noxious weeds.

Soil stockpiles in areas containing noxious weeds will be kept separate from soil removed from areas that are free of noxious weed species, and the soil will be replaced in or near the original excavation. If requested by the applicable land management agency, soil stockpiles will be covered with plastic if the soil stockpile will be in place for 2 weeks or longer and is not actively being used. On lands managed by the USFS or per private landowner request, stockpiles will not be covered with plastic.

5.2.4 Reclamation

To help limit the spread and establishment of noxious weeds in disturbed areas, desired vegetation needs to be established promptly after disturbance. IPC will rehabilitate significantly disturbed areas as soon as possible after ground-disturbing construction and O&M activities and during the optimal period. Optimal seeding periods are typically in the fall (October to November) or in the spring (February to March). To minimize potential damage from wildland fires, IPC will not reseed areas within a 20-foot radius around structures. IPC will treat and reseed disturbed areas in accordance with the Final Reclamation and Revegetation Plan. This includes reseeding significantly disturbed areas with a non-invasive seed mix approved by the applicable land management agency, ODOE, or landowner and the Oregon Seed Certification Service, as applicable and where warranted.

5.2.5 Materials Management

Straw, hay, mulch, gravel, seed, and other imported materials must be certified weed-free. If certified weed-free materials are not available, then alternative materials will be used with agency approval. For example, certified weed-free gravel is not available in Oregon.

5.3 Treatments

Noxious weed control measures will be implemented prior to construction, during construction, and following construction. Control of noxious weeds will be implemented through mechanical, biological, and chemical control measures. IPC and the Construction Contractor(s), as applicable, will be responsible for providing the necessary personnel or hiring a contractor, with qualifications demonstrating knowledge of listed noxious weeds in each of the five counties for which facility components would be sited, to implement noxious weed control procedures. In the event new noxious weed populations are identified on the Project in the future, the protocols and methods outlined in this Plan will be followed.

Methods to control noxious weeds associated with Project activities may include mechanical, biological, or chemical measures. Each of these control methods is briefly described below. Noxious weed control measures will be implemented in accordance with existing state and county regulations and applicable land management agency or ODOE requirements. Control measures will be based on species-specific and site-specific conditions (e.g., proximity to water or riparian areas, agricultural areas, occurrence of special status plant species, plant phenology, and season of application) and will be coordinated with the appropriate land management agencies and ODOE, as well as the OSWB and county weed boards or weed control districts, and the Project's weed management specialist. Following preconstruction surveys, the weed management specialist will provide a detailed control methodology for each noxious weed species to be controlled. Example species-specific control methodologies are included as Appendix B.

For EFSC purposes, IPC will only be responsible for treating noxious weeds that are within Project ROWs and that are a result of the company's construction- or operation-related, surface-disturbing activities in the following areas:

- Transmission line: Entirety of the ROWs and/or easements;
- New roads: Entirety of the ROWs and/or easements;
- Existing roads needing substantial improvement: Only areas involving ground-disturbing construction and/or improvement (e.g., new cutouts);
- Communication stations: Entirety of the ROWs and/or easements;
- Multi-use areas: Entirety of the temporary ROWs and/or licenses; and
- Pulling and tensioning sites: Entirety of the temporary ROWs and/or licenses.

For EFSC purposes, IPC is not responsible for treating noxious weeds that occur outside of the Project ROWs or for controlling or eradicating noxious weeds that were present prior to the Project. With respect to pre-existing weed infestations, IPC recognizes ORS Chapter 569 imposes onto occupiers of land within a weed district certain obligations to control and prevent weeds; if IPC identifies pre-existing weed infestations within a Project ROW, IPC will work with the relevant landowner or land management agency to address the same consistent with ORS Chapter 569.

See Section 5.3.2 for additional details regarding preconstruction treatments.

5.3.1 Types of Treatments

5.3.1.1 Mechanical

Mechanical control methods rely on removal of plants and/or cutting roots with a shovel or other hand tools or equipment that can be used to remove, mow, or disc weed populations.

Mechanical methods are useful for smaller, isolated populations of noxious weeds in areas of sensitive habitats, or if larger populations occur in agricultural lands, where tillage can be implemented. Some rhizomatous plants can spread by discing or tillage; therefore, implementation of this method will be species specific. If such a method is used in areas to be reclaimed, subsequent seeding will be conducted to re-establish a desirable vegetative cover that will stabilize the soils and slow the potential re-invasion of noxious weeds. Discing or other mechanical treatments that disturb the soil surface within native habitats will be avoided in favor of herbicide application, which is an effective means of reducing the size of noxious weed populations as well as preventing the establishment of new colonies.

5.3.1.2 Cultural

Cultural control methods rely on prevention education of the public as well as construction, operation, and maintenance personnel. Cultural control of noxious weeds can include the minimization of vehicular travel through areas of known populations. Noxious weed populations identified during the 2022 and 2023 inventories that were not controlled during pretreatment, located adjacent to active construction sites and access, or active operations and maintenance sites and access will have signage placed to avoid spreading seed or plant materials. Adequate control will be based on the best professional judgment of the Project's weed management specialist.

5.3.1.3 Biological

Biological control involves the use of living organisms (insects, diseases, and livestock) to control noxious weeds to achieve management objectives. Many noxious weed and invasive plants species have been introduced into North America and with few to no natural biological control mechanisms. The biological control agent is typically adapted to a specific species and selected for their ability to attack critical areas of the plant that contribute to its persistence. One component of the ODA's Weed Control Policy is developing and managing a biological weed control program (ODA 2022). Biological control agents are used to control large infestations of noxious weeds; there is no expectations biological control agents will eradicate noxious weeds. They will be utilized where appropriate along the Project ROW in coordination with county weed supervisors or appropriate land management agencies.

5.3.1.4 Chemical

Chemical control can effectively remove noxious weeds through use of herbicides. Herbicide treatments can be effective for large populations of noxious weeds where other means of control may not be feasible. On private and state lands, appropriate federal and state approved herbicides will be used.

BLM (2016a) lists herbicides acceptable for use on BLM-administered lands in the Vale District. In addition to being approved by the BLM nationally, the herbicides are registered with the Environmental Protection Agency and the State of Oregon (BLM 2016a).. The herbicides listed in Appendix C – Agency-Approved Herbicides may be used in the Project's ROW after coordination with the relevant parties and after submittal of a Pesticide Use Proposal (PUP) (see below). Revisions to the approved pesticide list will occur in conjunction with agency-approved pesticide list updates.

. Herbicides approved for use within the Project ROW will be reviewed and approved by the BLM, USFS, and ODA, prior to beginning construction and/or prior to use. Herbicide will not be applied prior to notification and receipt of written approval from the ODOE or private landowner.

A licensed pesticide (herbicide) operator or supervised trainee, certified by the ODA, will perform the application using herbicides selected and approved by the appropriate land management agency and ODOE in accordance with applicable laws, regulations, and permit stipulations. The pesticide applicator will have readily available copies of the appropriate safety data sheets for the herbicides used. All pesticide applications must follow Environmental Protection Agency label instructions, as well as federal, state, and/or county regulation, BLM and USFS recommendations, and landowner agreements. Application of herbicides will be suspended in accordance with herbicide labels and county, state, and federal regulations (e.g., strong winds, etc.), and all herbicide spills will be reported in accordance with applicable laws and requirements.

Transportation, mixing, and storage of herbicides will include the following provisions:

- Concentrate will be transported only in approved containers in a manner that will prevent tipping or spilling, and in a location isolated from the vehicle's driving compartment, food, clothing, and safety equipment.
- Mixing will be done over a drip-catching device in an area devoid of sensitive vegetation and in an area that will limit human, pet, and wildlife exposure. Areas of flowing water, wetlands, or other sensitive resources where herbicide use will be prohibited will be identified on construction maps and flagged prior to herbicide application.
- Applicable Waters of the United States (WOTUS) or Waters of the State Pesticide General Permits requirements will be followed. All herbicide equipment and containers will be inspected daily for leaks.
- Disposal of spent containers will be in accordance with the herbicide label.

Herbicides may be applied using a broadcast applicator mounted on a truck or all-terrain vehicle, backpack sprayers, hand sprayers, or any other agency-approved method as conditions dictate. Herbicide applications will be conducted by licensed operators or under the supervision of a licensed operator in accordance with state laws and BLM and USFS weed policies, as appropriate. Vehicle-mounted sprayers (e.g., handgun, boom, and injector) may be used in open areas readily accessible by vehicles. To minimize or eliminate non-target spraying, spot spraying from a sprayer with a handgun mounted on an all-terrain vehicle or utility terrain vehicle is the most likely method of application. Where allowed and in a large infestation with minimal to no non-target plants present, a broadcast application may be used. In areas where noxious weeds are more isolated or away from roadways and interspersed with desirable vegetation, noxious weeds may be targeted primarily by hand application methods (e.g., backpack spraying), thereby avoiding other plants. Herbicide applications will follow all label and land manager guidelines, especially for treatments near threatened and endangered species and waterbodies. Equipment will be calibrated prior to spraying.

State and federal herbicide recording requirements, including BLM and USFS recording requirements, will be followed. Appendix C contains a list of approved herbicides that may be used, target species, best time for application, and application rates. IPC will coordinate with federal land-managing agencies annually to review any potential revisions to the agencies' lists of approved herbicides.

Final species-specific noxious weed control methodologies will be provided by IPC or the Construction Contractor(s). Herbicide applications will be controlled, as described in Section 7.0 –Herbicide Application, Handling, Spills, and Cleanup, to minimize the impacts on the surrounding vegetation.

5.3.2 Preconstruction Treatments

Based on the preconstruction noxious weed inventory, IPC will identify areas where preconstruction noxious weed control measures will be implemented. Treatments will be conducted prior to the start of ground-disturbing activities and at the time most appropriate for the target species. These treatments will help prevent the spread of noxious weeds to weed-free zones throughout the Project's ROW. Particular attention will be paid to the Project's multi-use areas and other zones where a large number of vehicles are staged.

Noxious weed species on Oregon's OSWB Class A, B, and T lists; Baker, Malheur, Morrow, Umatilla, and Union county EDRR and Class A and B lists; and priority invasive plant species on

the Wallowa-Whitman National Forest will be targeted first for treatments prior to the start of ground-disturbing activities, where feasible. Any remaining noxious weeds will be treated prior to the start of construction activities based on location, nature, and extent of the infestation, surrounding conditions (e.g., the predominance and density of infestations noxious weeds adjacent to the ROW), landowner permission, land-managing agency requests, timeliness of land-managing agency approval, and the construction schedule.

Treatment options could consist of mechanical control, hand spraying of herbicides, and biological controls; the exact method of control will be approved and documented prior to use. Herbicide applications will likely be the primary method of preconstruction noxious weed treatments. All use of herbicides will comply with the label restrictions, as well as federal, state, and/or county regulations and landowner agreements. All areas treated will be documented using GPS technology and will be included in an annual report.

In areas where preconstruction treatment is not feasible due to construction schedule, flagging of noxious weed populations would occur and vehicles would be washed after leaving the area while earthmoving activities are underway.

5.3.3 Treatments during Construction

The prevention measures described above in Section 5.2 include certain treatment measures that will be taken during construction to avoid, minimize, and mitigate the risk of spreading or introducing noxious weed species due to Project construction activities.

5.3.4 Postconstruction Treatments

Post-construction noxious weed control and monitoring, as well as reclamation and revegetation efforts, are critical components of successful noxious weed control. Noxious weed control efforts will occur at least once annually for the first 5 years post-construction. When it is determined noxious weeds are controlled in an area of the Project at any point during the first 5 years of control and monitoring, IPC will request concurrence from ODOE. If ODOE concurs, IPC will continue to monitor the sites as described below in Section 6.1, but will cease treatment unless determined to be necessary through subsequent monitoring. If control of noxious weeds is deemed unsuccessful after 5 years of monitoring and noxious weed control actions, IPC will coordinate with ODOE regarding appropriate steps forward. At this point, IPC may suggest additional noxious weed control techniques or strategies, or monitoring.

As described above, control efforts will be limited to noxious weed species on Oregon's OSWB Class A, B, and T lists; Baker, Malheur, Morrow, Umatilla, and Union county EDRR, Class A and B lists; and priority invasive plant species on the Wallowa-Whitman National Forest. Using the prior years' treatment and monitoring information, post-construction noxious weed treatment will be planned by IPC and coordinated with the applicable land-managing agencies to ensure treatment will be conducted at the proper growing period and during favorable environmental conditions.

5.4 Reclamation Actions

As specified in the Reclamation and Revegetation Plan (IPC 2023a), reclamation activities will assist in:

- Restoring plant communities and associated wildlife habitat and range;
- Preventing substantial increases in noxious weeds in the Project's ROW;
- Minimizing Project-related soil erosion; and

- Reducing visual impacts on sensitive areas caused by construction activities.

Measures implemented during reclamation activities that will help prevent the spread and establishment of noxious weeds include applying agency-approved seed mixes Project-wide (except in agricultural areas) to the appropriate habitat type, unless directed otherwise by the land management agency and/or landowner. Additionally, t modifications to seeding application rates and timing of implementation to achieve site-specific noxious weed management objectives may be requested as necessary. Seed mixes will be determined by soil type and site-specific conditions and will coordinated by IPC or the Construction Contractor(s) with a BLM or USFS specialist, ODOE, or landowner. If areas are not immediately seeded after construction because of weather or scheduling constraints, all noxious weeds will be adequately controlled before seeding. Appropriate herbicides will be used to ensure seedlings are not affected by residual herbicides.

6.0 MONITORING AND REPORTING

6.1 Monitoring

IPC will contract with a weed specialist to monitor areas of Project disturbance on a yearly basis for 5 years following completion of the Project. The objectives of the noxious weed monitoring surveys are to: 1) identify any new noxious weed populations or infestations, and 2) monitor existing infestations and affected/disturbed areas.

Monitoring will be initiated during the first growing season following construction and will occur during the appropriate growing season when noxious weeds located during the preconstruction surveys are still identifiable. Growing seasons will vary from year to year, and consequently, the timing of monitoring will vary as well.

As stated above, noxious weed monitoring and control will occur at least once annually during the first 5-year period.¹ When it is determined that an area of the Project has successfully controlled noxious weeds at any point during the first 5 years of control and monitoring, IPC will request concurrence from the local County Weed Coordinator and/or ODOE as appropriate. If ODOE concurs, IPC will conclude that it has no further obligation to treat noxious weeds in that area of the Project. If control of noxious weeds is deemed unsuccessful after 5 years of monitoring and noxious weed control, IPC will coordinate with ODOE regarding appropriate steps forward. At this point, IPC will prepare a location-specific long-term monitoring plan based on the results of the initial five-year assessment period. In addition, IPC may suggest additional noxious weed control techniques or strategies, or monitoring. Noxious weed control measures recommended during monitoring will follow the preventive and control measures outlined in the Final Noxious Weed Plan.

6.2 Reporting

An annual Noxious Weed Report will be submitted to ODOE and made available to the appropriate land management agencies as required. Annual reporting will include geographic information systems data as part of the deliverable. The purpose of the report is to provide a status update on progress toward meeting the goals of controlling and preventing the spread and introduction of noxious weed species due to Project activities.

Areas where the spread of a noxious weed infestation are noted, particularly in previously unaffected locations, will be evaluated to help determine if these areas require remedial action and treatment. These areas will be noted in the annual report and additional noxious weed control treatments implemented or recommended will be documented.

¹ Monitoring will be completed in the spring and the fall to capture growing seasons for weed species with differing lifecycles.

7.0 HERBICIDE APPLICATION, HANDLING, SPILLS, AND CLEANUP

7.1 Herbicide Application and Handling

The current list of BLM and USFS approved herbicides is provided in Appendix C. Before application, the list of herbicides to be used will be approved by the BLM, USFS, and other land management agencies as appropriate. Additionally, all required permits from the local authorities (e.g., Oregon County Weed Superintendents or weed districts, BLM, BOR, and/or USFS) will be obtained. State and federal herbicide recording requirements, including BLM and USFS recording requirements, and applicable WOTUS Pesticide General Permits requirements Permits may contain additional terms and conditions that go beyond the scope of this Plan. Application of herbicides will follow the measures listed in Section 5.3 – Treatments.

7.2 Herbicide Spills and Cleanup

All reasonable precautions will be taken to avoid herbicide spills. Construction spills, including herbicide and pesticide spills, will be promptly cleaned up, and contaminated materials will be transported to a disposal site that meets local, state, and federal requirements. If a spill occurs whose cleanup is beyond the capability of on-site equipment and personnel, an Emergency Response Contractor available to further contain and clean up the spill will be identified.

Potential contractors will be identified prior to the start of construction activities.

For spills in standing water, including herbicide and pesticide spills, absorbent materials will be used as appropriate by the contractor to recover and contain released materials on the surface of the water. If the standing water is considered a WOTUS or a Water of the State (in Oregon) it will be reported immediately to the appropriate agency as per Pesticide General Permit requirements and state and federal laws.

Materials such as fuels, other petroleum products, chemicals, and hazardous materials including wastes will be located in upland areas away from streams or wells and away from storm drains or other drainages.

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Herbicide contractors will be responsible for storing and maintaining herbicides. If needed, concentrated liquid herbicides will be stored in the hazardous materials portion of multi-use areas during construction. . If on-site herbicide storage is needed, state and federal herbicide storage regulations will be adhered to by applicators.

Spill preventive and containment measures or practices are described in the Spill Prevention, Control, and Countermeasures (SPCC) Plan (IPC 2023c).

7.3 Worker Safety and Spill Reporting

All pesticide contractors will obtain and have readily available copies of the appropriate safety data sheets for the herbicides used. All herbicide spills will be reported in accordance with applicable laws and requirements as discussed in the SPCC Plan (IPC 2023c). Spills reporting will also follow IPC's pesticide standard operating procedure (IPC 2006). Persons should attempt to clean up or control a spill, including herbicide and pesticide spills, only if they have received proper training and possess the appropriate protective clothing and clean-up materials.

Untrained individuals should notify the appropriate response personnel. In addition to these general measures, persons responding to spills will consult the SPCC Plan and the safety data sheets or U.S. Department of Transportation Emergency Response Guidebook, which outlines physical response guides for hazardous materials spills. Emergency phone numbers will be verified and updated before and during construction. The ODOE will be notified of all spills or potential spills, including herbicide and pesticide spills, within the Project's ROW.

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APPENDIX A
PRECONSTRUCTION INVENTORY RESULTS (2022)

Mapbook Included Under Separate Attachment

**APPENDIX B
NOXIOUS WEED TREATMENT METHODS AND TIMING
(NOVEMBER 2021)**

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
<i>Rubus armeniacus</i>	Armenian (Himalayan) blackberry	Glyphosate - Accord may be applied to green canes after leaves have dropped. Rodeo is best applied when leaves are present. Burning or mowing 40 to 60 days after spraying with glyphosate increases effective control. Rate: 5 pints/ac.
		Metsulfuron-Methyl - Apply to actively growing vegetation before fall coloration. Rate: 0.6 to 1.8 oz ai/a
		Aminopyralid + 2,4-D + triclopyr - Treat when plants are actively growing. Rate: 2.1 pints + 2 quarts in 100 gallons of water.
<i>Hyoscyamus niger</i>	Black henbane	Metsulfuron- Apply to actively growing vegetation before fall coloration. Rate: 0.3 to 0.45 oz ai/a
		Picloram - Apply in spring when actively growing before full bloom, or in late summer. Rate: 0.25 to 0.5 lb ae/a
<i>Solanum rostratum</i>	Buffalobur	Diflufenzopyr + dicamba - Apply to actively growing plants. Rate: 0.175 to 0.35 lb ae/a.
<i>Cirsium vulgare</i> , <i>Cirsium arvense</i> , <i>Carduus nutans</i> , <i>Silybum marianum</i> , <i>Onopordum acanthium</i>	bull thistle, Canada thistle, milk thistle, musk thistle, Scotch thistle	2,4-D - Apply in fall to control rosettes or spring to control before flower stalk elongates. Rate: 1.5 to 2 lb ae/a
		Aminopyralid - Apply in spring or early summer to rosettes or bolting plants or in fall to seedlings and rosettes. Rate: 0.75 to 1.25 oz ae/a
		Chlorsulfuron - Apply to young, actively growing weeds. Rate: 0.75 oz ai/a
<i>Ceratocephala testiculata</i> (<i>Ranunculus testiculatus</i>)	Bur buttercup	2,4-D - Apply to actively growing plants. Rate: 1.5 to 2 lb ae/a
<i>Buddleja davidii</i> (<i>B. variabilis</i>)	Butterfly bush	Glyphosate - Apply to stump after bush is cut down.
		Triclopyr - Apply to stump after bush is cut down.
<i>Alhagi maurorum</i> (<i>A. pseudalhagi</i>)	Camelthorn	Imazapyr - Apply to actively growing vegetation. Rate: 0.5 to 1lb ae/a
		Metsulfuron - Apply to actively growing vegetation. Rate: 0.6 to 1.8 oz ai/a
		Piclorum - Apply when plants are fully leaved and actively growing. Rate: 0.5 to 1 lb ae/a.
<i>Galium aparine</i>	Catchweed bedstraw	Fluroxypyr - Apply to actively growing plants. Rate: follow instructions on label.
<i>Secale cereal</i> , <i>Bromus tectorum</i> , <i>Taeniatherum caput-medusae</i>	Cereal rye, cheatgrass, medusahead rye	Consult with County Weed Supervisor - no known effective herbicide. Glyphosate can be applied post-emergence but does not provide residual weed control.
<i>Cichorium intybus</i> , <i>Chondrilla juncea</i>	Chicory, Rush skeletonweed	Aminopyralid - Apply in spring or early summer to rosettes or bolting plants or in fall to seedlings and rosettes. Rate: 0.75 to 1.25 oz ae/a
		Piclorum - Apply to rosette stage in fall or spring. Rate: 0.5 to 1 lb ae/a.
		Imazapyr - Apply as follow up spot treatment for plants that escaped broadcast spray. Rate: 1% solution.
<i>Anchusa officinalis</i>	Common bugloss	Chlorsulfuron - Apply to young, actively growing weeds. Rate: 0.75 oz ai/a
		Metsulfuron - Apply to actively growing vegetation. Rate: 0.6 to 1.8 oz ai/a
<i>Verbascum thapsus</i>	Common mullein	Glyphosate - Apply to actively growing vegetation. Rate: 2.25 lb ae/ac
		Chlorsulfuron - Apply to young, actively growing weeds. Rate: 0.75 to 1.95 oz ai/a

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
		Metsulfuron - Apply postemergence to bolting stage. Rate: 0.6 to 1.2 oz ai/ac
<i>Phragmites australis</i>	Common reed	Imazapyr + glyphosate - Apply to actively growing vegetation. Rate: use label. The most effective control of <i>Phragmites</i> is mowing and burning.
<i>Tanacetum vulgare</i> , <i>Hypericum perforatum</i>	Common tansy, St. Johnswort; Klamathweed,	Chlorsulfuron - Apply to actively growing vegetation in spring. Rate: 0.75 to 2.25 oz ai/a
<i>Crupina vulgaris</i>	Common crupina	Metsulfuron - Apply to actively growing vegetation. Rate: 0.6 oz ai/a
<i>Rorippa sylvestris</i> , <i>Cardaria chalepensis</i> (<i>Lepidium chalepensis</i>), <i>Cardaria draba</i> (<i>Lepidium draba</i>)	Creeping yellow cress, hoary cress, lens-podded cress	Chlorsulfuron - Apply to seedlings in spring. Rate: 0.75 to 0.195 oz ai/a
		Clopyralid - Apply as a split application to foliage in spring and fall. Rate: 2 oz ae/a
		2,4-D - Apply early in cress growth; control is minor after bud stage. Rate: 1 lb ae/a as a selective treatment or 2 to 3 lb ae/a in non-cropland.
		Imazapic - Apply after blossoms open (full bloom) until plants desiccate. Fall rosettes also may be treated. Rate: 0.125 to 0.188 lb/a
		Metsulfuron - Apply at prebloom to bloom growth stage or to rosettes in fall. Rate: 0.6 oz ai/a.
<i>Linaria dalmatica</i> , <i>Linaria vulgaris</i>	Dalmatian toadflax, yellow toadflax	Imazapic - Apply in fall when top 25% of plant is necrotic, usually after a hard frost. Rate: 0.188 lb ai/a.
		Dicamba - Apply in early spring before toadflax reaches bloom stage. Rate: 4 to 6 lb ae/a
<i>Centaurea diffusa</i> , <i>Centaurea nigrescens</i> (<i>C. debeauxii</i> ; <i>C. jacea x nigra</i> ; <i>C. pratensis</i>), <i>Centaurea stoebe subsp. micranthos</i> (<i>C. maculosa</i>), <i>Centaurea virgata</i> (<i>C. triumfetti</i>)	Diffuse knapweed, Meadow knapweed, Short-fringe knapweed, Spotted knapweed, Squarrose knapweed	2,4-D - Apply at early stage of flower stem elongation (late April to early May). Rate: 1 to 2 lb ae/a
		Aminopyralid - Apply in spring or early summer to rosettes or bolting plants or in fall to seedlings and rosettes. Rate: 1 to 1.75 oz ae/a
		Glyphosate - Apply to actively growing vegetation. Rate: 3 lb ae/ac
<i>Cuscuta spp.</i>	Dodder	Glyphosate - Apply as spot treatment to actively growing plants. Rate: 0.0625 to 0.075 lb ae/a
<i>Isatis tinctoria</i>	Dyer's woad	Chlorsulfuron - Apply before or just after seedlings emerge in spring. Rate: 0.75 oz ai/a
		Imazapic - Apply to rosettes or after blossoms open (full bloom) until plants desiccate. Rate: 0.125 to 0.188 lb ai/a
		2,4-D - Apply in spring or fall to rosettes, or in early summer when plant is in bud. Rate: 1.9 to 2.85 lb ae/a
<i>Hedera helix</i>	English ivy	Triclopyr or Glyphosate - Apply to recently cut stems (preferably within 5 minutes of cutting). Rate: 33% solution in water.
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil	Herbicides not recommended for this species. See mechanical or biological control methods.
<i>Convolvulus arvensis</i> , <i>Sorghum halepense</i> , <i>Elymus repens</i> (<i>Agropyron repens</i>)	Field bindweed, Johnsongrass, Quackgrass	Glyphosate - Apply to full-grown weeds. Use highest rate on field bindweed. Rate: 2.25 to 3.75 lb ae/a. For non-sodded quackgrass, use 0.75 to 1.5 lb ae/a. For sodded quackgrass, use 1.5 to 2.25 lb ae/a

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
<i>Butomus umbellatus</i>	Flowering rush	2,4-D - Apply in April or May after rush has made good spring growth. Foliage must be wet. Rate: 1.5 lb ae 2,4-D, 50 gallons water, and 2 gallons nonionic surfactant for spot treatments.
<i>Dipsacus fullonum</i>	Fuller's teasel	2,4-D - Apply to rosette stage in fall or spring. Rate: 1 lb ae/a Chlorsulfuron - Apply to actively growing teasel in rosette stage. Rate: 0.75 oz ai/a
<i>Alliaria petiolata</i>	Garlic mustard	Glyphosate - Apply in spring prior to flowering or in late fall. Rate: 2.0% solution of 3 lb ae/gal product with 1.0% by volume nonionic surfactant Imazapyr - Apply when plants are actively growing. Rate: 1% solution of 2 lbs ae/gal product for spot application.
<i>Polygonum sachalinensis</i> (<i>Fallopia sachalinense</i>), <i>Polygonum cuspidatum</i> (<i>Fallopia japonica</i>)	Giant knotweed, Japanese knotweed	Dicamba - Apply in late August to new regrowth after cutting plant back in June. Rate: 0.25 lb ae dicamba mixed with 1 gal water/400 sq ft Glyphosate - Spot treat when weeds are actively growing and most are at bud to early flowering growth stage. Rate: 0.06 lb ae with 1 gal water Glyphosate (Round Up Pro Concentrate) - Inject with hand-held device into hollow stem of actively growing plants between second and third internodes. Rate: Inject 5 ml/stem
<i>Halogeton glomeratus</i>	Halogeton	2,4-D - Apply in early spring when plants are actively growing before bloom stage. Rate: 1 to 2 lb ae/a Imazapic - Apply preemergence or postemergence. Rate: 0.063 to 0.188 lb/a
<i>Conyza canadensis</i>	Horseweed; mares tail	Aminopyralid - Apply to actively growing plants. Rate: 1 to 1.5 oz ae/a Clopyralid - Apply to actively growing plants up to the five-leaf stage. Rate: 0.125 to 0.188 oz ae/a
<i>Cynoglossum officinale</i>	Houndstongue	Picloram - Apply anytime plants are actively growing. Rate: 0.5 lb ae/a Metsulfuron - Apply to actively growing plants. Rate: 0.6 oz ai/a 2,4-D - Apply in early spring when plants are actively growing before bloom stage. Rate: 2 lb ae/a
<i>Amorpha fruticosa</i>	Indigo bush	Treatment data is still preliminary; however, the following have shown promising results (and are on the BLM approved list): aminopyralid, clopyralid, glyphosate, imazapyr, and triclopyr + 2,4-D applied as cut stem treatments.
<i>Datura stramonium</i>	Jimsonweed	Treatment data is still preliminary in the PNW however the following have been reported to control this plant (and are on the BLM approved list) - glyphosate, picloram, clopyralid.
<i>Aegilops cylindrica</i>	Jointed goatgrass	Glyphosate - Apply to actively growing plants emerged before bolt stage (i.e., stage of growth where growth is focused on seed development versus leaf development). Rate: 0.38 to 0.75 lb ae/a1 Imazapic - Apply pre-emergence in fall. Due to the residual effect of this herbicide, it will not be used in areas to be revegetated. Rate: 0.063 to 0.188 lb/a1 Sulfometuron - Apply in fall or in late winter before jointed goatgrass is 3 inches tall. Rate: 1 to 1.5 oz ai/a (1.33 to 2 oz/a)1
<i>Hieracium piloselloides</i> (<i>Pilosella piloselloides</i>), <i>Hieracium caespitosum</i> (<i>H</i>	King-devil hawkweed/Tall hawkweed,	2,4-D - Apply to growing hawkweed before buds form. Rate: 1.43 to 1.9 lb ae/a Aminopyralid - Apply to actively growing plants in the bolting stage of growth. Rate: 1 to 1.5 oz ae/a

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
<i>pratense</i> ; <i>Pilosella caespitiosum</i> , <i>Hieracium aurantiacum</i> (<i>Pilosella aurantiacum</i>),	Meadow hawkweed, Orange hawkweed	Clopyralid - Apply after most basal leaves emerge but before buds form. Rate: 0.25 to 3.75 lb ae/a
<i>Bassia scoparia</i> (<i>Kochia scoparia</i>)	Kochia; burning bush	Chlorsulfuron - Apply preemergence, or postemergence from seedling to bolting stage of growth. Rate: 0.75 oz ai/a Dicamba - Apply in spring when seedlings are actively growing. Rate: 0.25 to 1 lb ae/a Fluroxypyr - Apply in spring from seedling to bolting stage of growth. Rate: 2.1 to 7.7 oz ae/a
<i>Euphorbia esula</i> , <i>Euphorbia myrsinites</i>	Leafy spurge, Myrtle spurge	2,4-D - Apply pre- and postemergence, highly recommend seeding grasses to outcompete spurge. Rate: 1 lb ae/a to prevent seed formation and 6 lb ae/a helps control leafy spurge infestations.
<i>Cannabis sativa</i>	Marijuana	Glyphosate - Apply to actively growing plants. Rate: 0.0625 to 0.075 lb ae/a
<i>Salvia aethiopis</i>	Mediterranean sage	Clopyralid - Apply to actively growing plants. Rate: 1 to 2 lb ae/a
<i>Verbascum blattaria</i>	Moth mullein/Common mullein	Aminopyralid - Apply postemergence from the rosette to young bolting stage. Rate: 1.75 oz ae/a Fluroxypyr - Apply postemergence from the rosette to young bolting stage. Rate: 7.7 oz ae/a Glyphosate - Apply postemergence from seedling to late bolting stage. Rate: 2.25 lb ae/a
<i>Lathyrus latifolius</i> , <i>Lepidium latifolium</i> , <i>Sonchus arvensis</i>	Perennial peavine, Perennial pepperweed, Perennial sowthistle	2,4-D - Apply at the bud stage of growth. Good grass cover helps control these perennials. Rate: 4 lb ae/a Chlorsulfuron - Apply in spring or fall up through bloom stage. Rate: 0.75 oz ai/a Imazapic - Apply after blossoms open (full bloom) until plants desiccate. Fall rosettes also may be treated. Rate: 0.125 to 0.188 lb/a
<i>Conium maculatum</i>	Poison hemlock	2,4-D - Apply in seedling to rosette stage of growth. Rate: 1.5 lb ae/a Glyphosate - Apply to actively growing plants before they bolt. Rate: 0.75 lb ae/a
<i>Tribulus terrestris</i>	Puncturevine	2,4-D - Apply every 3 weeks during growing season or when new seedlings appear. Rate: 1 to 2 lb ae in 10 to 20 gallons water for spot treatment. Chlorsulfuron - Apply late fall or late winter preemergence to growth. Needs moisture to activate. Rate: 1 oz ai/a Imazapic - Apply early postemergence when plants are cracking. Rate: 0.125 to 0.188 lb ai/a
<i>Lythrum salicaria</i>	Purple loosestrife	Glyphosate - Apply to actively growing plants at full to late flowering stage. Seedlings maybe effectively treated early in the season after a fall application to mature plants. Rate: 1% solution with handheld equipment Imazapyr - Apply to actively growing loosestrife after midbloom until killing frost. Rate: 0.25 to 0.5 lb ae/a
<i>Centaurea calcitrapa</i> , <i>Centaurea solstitialis</i>	Purple starthistle, yellow starthistle	Aminopyralid - Apply to plants at the rosette through bolting stages. Rate: 0.75 to 1.25 oz ae/a Chlorsulfuron - Apply to young, actively growing weeds. Rate: 1.125 oz ai/a Clopyralid - Apply after most rosettes have formed but before bud formation. Rate: 0.09 to 0.375 lb ae/a
<i>Ambrosia artemisiifolia</i>	Ragweed	Clopyralid + 2,4-D amine - Apply to actively growing weeds after most basal leaves emerge but before bud stage. Rate 1 to 5 quarts/a

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
<i>Phalaris arundinacea</i>	Reed canarygrass; ribbongrass	Glyphosate - Apply to actively growing plants at early heading or in fall from mid-September to after first light frost. Rate: 1.2 to 2.25 lb ae/a
		Imazapyr - Apply in boot stage through fall, when plant is actively growing. Rate: 0.5 to 1 lb ae/a
<i>Salsola tragus</i> (<i>S. iberica</i> ; <i>S. kali</i>)	Russian thistle	2,4-D - Apply to rapidly growing plants. Rate 0.95 to 1.9 lb ae/a
		Chlorsulfuron - Apply preemergence or early postemergence. Rate: 0.75 to 1.5 oz ai/a
<i>Tamarix ramosissima</i>	Saltcedar	Imazapyr + glyphosate - Apply in late summer to early fall when plants are taking up nutrients - plants should be healthy, not stressed. Rate: 1.5 quarts + 1.5 quarts of ae/a
		Imazapyr - Apply in late summer to early fall when plants are taking up nutrients. Rate: 2 quarts ae/a
<i>Cytisus scoparius</i>	Scotch broom	Glyphosate - Apply to actively growing plants in spring. Rate: 1.5 to 3 lb ae/a
		Triclopyr + 2,4-D - Apply any times plants are actively growing. Rate: 1.5 lb ae/a
<i>Solanum elaeagnifolium</i>	Silverleaf nightshade	Glyphosate - Apply to actively growing plants that have reached the late bud to flower stage of growth. Rate: 2.25 lb ae/a
		Imazapyr - Reported to control this plant but data is lacking in the PNW. Rate: 1 lb ae/a
<i>Orobanche minor</i>	Small broomrape	No approved herbicides for this species on the BLM list. Chemical control is through fumigation of soil.
<i>Centromadia pungens sub sp. pungens</i> (<i>Hemizonia p ungens</i>)	Spikeweed; common tarweed	2,4-D - Apply postemergence, when plants are in rosette stage in winter or early spring (before late April). Application during cool weather allows for the use of ester formulations of 2,4 -D which may have better absorption in glandular leaves. Rate: 1.4 lb ae/a
		Chlorsulfuron - Apply preemergence or postemergence to plants in rosette stage. Rate: 0.75 to 1.95 oz ae/a
<i>Xanthium spinosum</i>	Spiny cocklebur	Clopyralid - Apply to seedlings in spring when plants are actively growing. Rate: 1.5 to 3.75 oz ae/a
		Dicamba - Apply to seedlings in spring when plants are actively growing. Rate: 0.25 to 0.75 lb ae/a
		Imazapyr - Apply preemergence or postemergence to actively growing cockleburs. Rate: 0.75 to 1 lb ae/a
<i>Potentilla recta</i>	Sulfur cinquefoil	Aminopyralid - Apply to actively growing plants in the bolting stage of growth. Rate: 1 to 1.75 oz ae/a
		Glyphosate - Apply in the pre-bud stage of growth. Rate: 1.1 to 2.25 lb ae/a
		Metsulfuron - Apply in spring during rosette stage of growth. Rate: 0.6 to 1.2 oz ai/a
<i>Sphaerophysa salsula</i>	Swainsonpea; Alkali swainsonpea	2,4-D - Apply in early bloom stage of growth. Rate: 2 lb ae/a
<i>Melilotus officinalis</i>	Sweet clover	Imazapyr - Apply preemergence or postemergence to actively growing clove. Rate: 0.75 to 1 lb ae/a
		Metsulfuron - Apply in spring during early stages of growth. Rate: 0.6 to 1.2 oz ai/a
		2,4-D - Apply to actively growing plants. Rate: 1.5 to 2 lb ae/a
<i>Senecio jacobaea</i>	Tansy ragwort	2,4-D - Apply in spring before flowers appear, the earlier the application the better the control. Rate: 2 qts/a
		Aminopyralid - Apply to actively growing plants in the rosette stage. Rate: 1 to 1.25 oz ae/a

Scientific Name (Synonym Name)	Common Name	Method and Timing of Control ¹
		Metsulfuron - Apply to actively growing plants. Rate: 0.45 to 0.6 oz ai/a
<i>Ailanthus altissima</i>	Tree of heaven	Triclopyr - Cut stems horizontally at or near ground level, then immediately apply herbicide solution to cover the outer 20% of the stump face. Rate: 25% solution in water. Metsulfuron - Treatments are best when leaves are fully expanded. Rate: 1.2 oz ai/a
<i>Hibiscus trionum</i>	Venice mallow	Treatment data is still preliminary however the following have shown promising results (and are on the BLM approved list)- 2,4-D, chlorsulfuron, dicamba, glyphosate and picloram. Follow label instructions.
<i>Ventenata dubia</i>	Ventenata; North Africa grass	Imazapic - Apply in the fall after grass has emerged. Rate: 5 oz/a Sulfosulfuron - Apply in the fall after grass has emerged (1 inch rain and soil temperature above 45 degrees). Rate: 0.75 oz/a Rimsulfuron - Apply before or soon after seedlings emerge. Rate: 2 to 4 oz/a
<i>Cicuta douglasii</i>	Water hemlock	Glyphosate - Apply to actively growing plants. Rate: 2% solution. Imazapyr - Apply to actively growing plants. Rate: 0.75 to 1 lb ae/a
<i>Equisetum arvense</i>	Western horsetail	Chlorsulfuron - Apply pre- or postemergence. Rate: 1 to 1.5 oz ai/a
<i>Panicum miliaceum</i>	Wild proso millet	There are no herbicides available for this plant that are also on the BLM approved list.
<i>Iris pseudacorus</i>	Yellow flag iris	2,4-D - Apply postemergence at early bloom stage. This herbicide can only be applied to terrestrial populations. Rate: 5 lb ae in 100 gallons water Glyphosate - Apply postemergence to foliage when plants are growing rapidly, but before flowering in late spring or early summer. Can also apply in fall. Rate: 4% solution for spot treatment Imazapyr - Apply postemergence to plants at prebloom stage or to late season plants in fall. Rate: 1 to 3% for spot spray
<i>Cyperus esculentus</i>	Yellow nutsedge	Glyphosate - Apply when nutsedge is actively growing in midseason but before new tubers begin to form. Usually by June 15 to July 1. Rate: 2.25 ae/a as broadcast spray or 1% solution using hand-held equipment. Imazapic - Apply postemergence when plants have bolted. Rate: 0.125 to 0.188 lb ai/a
Sources: DiTomaso et al. 2013; Prather et al. 2019. ¹ a = acre; ae = acid equivalent; ai = active ingredient; lb = pound; oz = ounces		

APPENDIX C
AGENCY-APPROVED HERBICIDES

BLM-APPROVED HERBICIDES (Source: BLM 2016a)

- 2,4-D
- Aminopyralid
- Chlorsulfuron
- Clopyralid
- Dicamba
- Diflufenzopyr + Dicamba
- Diuron
- Fluridone
- Fluroxypyr
- Glyphosate
- Hexazinone
- Imazapic
- Imazapyr
- Metsulfuron methyl
- Picloram
- Rimsulfuron
- Sulfometuron methyl
- Triclopyr

USFS WALLOWA-WHITMAN NATIONAL FOREST APPROVED HERBICIDES (Source: USFS 2017)

- Aminopyralid
- Chlorsulfuron
- Clopyralid
- Glyphosate
- Imazapic
- Imazapyr
- Metsulfuron methyl
- Picloram
- Sethoxydim
- Sulfometuron methyl
- Triclopyr