

Certificate of Public Convenience and Necessity Idaho Power Company's Standard Data Requests Data Request Nos. 1-21

#### **IDAHO POWER COMPANY'S STANDARD DATA REQUEST NO. 1:**

Please explain whether the petitioner is aware of any areas along the proposed route where the petitioner expects to incur incremental costs due to the following:

- a. Hydrology mitigation;
- b. Hardness of rock and other geology mitigations;
- c. Elevation and directional change mitigation;
- d. Any other route-specific factors related to topography, geology, environmental, agricultural, stream crossing, or cultural heritage mitigations, or other conditions relevant to construction costs.
- e. Accommodation of requests by impacted communities such as parks, undergrounding, roads, sidewalks and other improvements.
- f. For parts a through e above, please provide cost estimates of such mitigation efforts.

#### RESPONSE TO IDAHO POWER COMPANY'S STANDARD DATA REQUEST NO. 1:

a. Idaho Power anticipates the 300-mile long, overhead, 500-kV high voltage transmission line between the proposed Longhorn Station near Boardman, Oregon, to the existing Hemingway Substation in southwest Idaho ("B2H project") impact on natural hydrologic systems will be minimal. For example, any temporary impacts to regulated waters will be mitigated by restoring the sites to existing conditions, and the total amount of permanent impacts will be less than 0.5 acres. To mitigate those impacts, the Company has acquired the rights to develop a wetland and stream restoration project along Catherine Creek, a tributary to the Grande Ronde River.

Idaho Power does not anticipate that construction-related blasting activity will impact landowners' springs, wells, or other water sources. However, to address any concerns the landowners may have regarding the same, the Company will test water sources if requested, as memorialized in the following proposed site certificate condition:

Amended Recommended Soil Protection Condition 4.b: Prior to construction, the certificate holder will consult with landowners regarding right-of-way acquisition, and during these consultations, the certificate holder will discuss with the landowner any blasting that the certificate holder plans to conduct on the landowner's property. If the landowner identifies a natural spring or well on the property, the certificate holder will notify the landowner that at the landowner's request, the certificate holder shall conduct pre-blasting baseline flow and water quality

<sup>&</sup>lt;sup>1</sup> Exhibit J (Waters of the State) to Idaho Power's Application for Site Certificate, page J-16 (Sept. 28, 2018). See Attachment 1.

<sup>&</sup>lt;sup>2</sup> Exhibit J (Waters of the State) to Idaho Power's Application for Site Certificate, pages J-17 to J-18 (Sept. 28, 2018). See Attachment 1.

Certificate of Public Convenience and Necessity Idaho Power Company's Standard Data Requests Data Request Nos. 1-21

measurements for turbidity. The certificate holder shall compensate the landowner for adequate repair or replacement if damages to the flow or quality of the natural spring or well occur solely as a result of blasting.

- b. The B2H project will be designed in accordance with multiple applicable engineering and building standards, which address, directly or indirectly, hardness of rock and other geological considerations.<sup>3</sup> Additionally, Idaho Power is required to prepare, in consultation with the Oregon Department of Geology and Mineral Industries, a geologic report that addresses the suitability of the site for the B2H project and any mitigation measures.<sup>4</sup> While the final mitigation measures will be refined prior to construction based on site-specific geological testing, generally, those measures will include modifications to tower locations, design changes to structure foundations, soil amendments, or tower design modifications.<sup>5</sup>
- c. Idaho Power considers elevation and directionality an element of the B2H project's design, and not an impact to be addressed through mitigation. Therefore, Idaho Power does not anticipate any incremental costs related to elevation or directionality mitigation.
- d. As discussed in more detail in Idaho Power's Response to Standard Data Request No. 15, Idaho Power will be required to mitigate potential impacts to multiple resources—including fish and wildlife habitat, agricultural, stream crossings, cultural, and other resources—in order to comply with the Energy Facility Siting Council ("EFSC") standards.
- e. Per an agreement with the City of La Grande, Idaho Power will provide funding to the City for recreational improvements at Morgan Lake Park.
- f. Below are preliminary cost estimates for the mitigation actions/programs discussed above:



g. Morgan Lake recreation improvements (see (e) above): \$100,000

<sup>&</sup>lt;sup>3</sup> See Exhibit H (Geological Hazards and Soil Stability) to Idaho Power's Application for Site Certificate, page H-21 (Sept. 28, 2018). See Attachment 2.

<sup>&</sup>lt;sup>4</sup> See Exhibit H (Geological Hazards and Soil Stability) to Idaho Power's Application for Site Certificate, pages H-4 to H-5, and Engineering Geology and Seismic Hazards Supplement, Attachment H-1 to Idaho Power's Application for Site Certificate. See Attachment 2.

<sup>&</sup>lt;sup>5</sup> See Exhibit H (Geological Hazards and Soil Stability) to Idaho Power's Application for Site Certificate, pages H-21 to H-30, and Engineering Geology and Seismic Hazards Supplement, Attachment H-1 to Idaho Power's Application for Site Certificate. See Attachment 2.

# **Exhibit J Waters of the State**

# **Boardman to Hemingway Transmission Line Project**



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Application for Site Certificate

September 2018

### **TABLE OF CONTENTS**

1.0	INTE	RODUCTION	J-1			
2.0		LICABLE RULES AND SECOND AMENDED PROJECT ORDER	J-1			
	2.1	Site Certificate Application Requirements	.J-1			
	2.2	Application Requirements for Individual Removal-Fill Permits				
	2.3					
		Permit Applications				
	2.4	Second Amended Project Order	. J-7			
3.0	ANA	LYSIS	J-7			
	3.1	Oregon Removal-Fill Permit and Army Corps Clean Water Act Section 404 Permit	J-7			
		3.1.1 State	J-8			
		3.1.2 Federal				
	3.2	Analysis Area				
	3.3	Survey and Delineation Methods				
		3.3.1 Phase 1: Wetland Desktop Study				
		3.3.2 Phase 2: Wetland Delineation	J-11			
		3.3.3 Phase 3: Wetland Survey and Reporting on Unsurveyed Parcels	J-14			
	3.4	Site Certificate Application Requirements	J-14			
		3.4.1 Description and Location of Waters of this State				
		3.4.2 Impacts to Waters of this State				
		3.4.3 Description of Significance of Impacts to Waters of this State				
		3.4.5 Information to Support Removal-Fill Authorization				
		3.4.6 Mitigation				
	3.5	Application Requirements for Individual Removal-Fill Permit				
	0.0	3.5.1 Written Application Required				
		3.5.2 Complete and Accurate Information Required				
		3.5.3 Fee Required for a Complete Application				
		3.5.4 Level of Detail Required May Vary				
		3.5.5 Required Information				
		3.5.6 Additional Requirements for Estuarine Fill				
		3.5.7 Additional Information as Requested				
		3.5.8 Waiver of Required Information				
		3.5.9 Permit Application Modifications				
		3.5.10 Pre-Application Conference				
		3.5.11 Status of Joint Permit Application Completeness	J-27			
	3.6	Determinations and Considerations in Evaluating Individual Removal-Fill Permit Applications	J-32			
		3.6.1 Department Determinations				
		3.6.2 Determination Considerations	J-33			
4.0		S PROPOSED SITE CERTIFICATE CONDITIONS				
5.0	CONCLUSIONSJ-37					
6.0	COMPLIANCE CROSS-REFERENCES					
7.0	REF	REFERENCES				

#### **LIST OF TABLES**

Table J-1. JPA Required Information and Status of Submittal	J-27
Table J-2. Path Forward to Fulfill Requirements for and Conditions to Removal-Fill	
Permit	J-30
Table J-3. Compliance Requirements and Relevant Cross-References	J-37

#### **LIST OF ATTACHMENTS**

Attachment J-1. Figures

Attachment J-2. Wetland Characteristics and Impacts Tables Attachment J-3. Joint Permit Application

Attachment J-4. Wetland Delineation Report

#### **ACRONYMS AND ABBREVIATIONS**

BMP best management practice

CWNWMP Compensatory Wetland and Non-Wetland Mitigation Plan

DSL Oregon Department of State Lands

EFSC or Council Energy Facility Siting Council GPS Global Positioning System

GRMW Grande Ronde Model Watershed

HUC Hydrologic Unit Code
IPC Idaho Power Company
JPA Joint Permit Application

kV kilovolt

NHD National Hydrography Dataset
NWI National Wetlands Inventory
OAR Oregon Administrative Rules
ODOE Oregon Department of Energy

OHW Ordinary High Water
ORS Oregon Revised Statutes

ORWAP Oregon Rapid Wetland Assessment Protocol

OSDAM Oregon Streamflow Duration Assessment Methodology
Project Boardman to Hemingway Transmission Line Project

ROE right of entry

SDAM Streamflow Duration Assessment Method

Second Amended Second Amended Project Order, Regarding Statutes.

Project Order Administrative Rules, and Other Requirements Applicable to the

Proposed BOARDMAN TO HEMINGWAY TRANSMISSION LINE

(July 26, 2018)

USACE U.S. Army Corps of Engineers
USFS United States Forest Service

WOS waters of the state

WOTUS waters of the United States

## Exhibit J Waters of this State

#### 1.0 INTRODUCTION

Exhibit J provides information regarding wetlands and other waters of this state (WOS) within the Site Boundary for the Boardman to Hemingway Transmission Line Project (Project). Additionally, Exhibit J includes evidence supporting issuance of an Oregon Department of State Lands (DSL) Removal-Fill Permit for those parcels IPC has had access to and has surveyed for WOS, and Idaho Power Company (IPC) requests that the Energy Facility Siting Council (EFSC or Council) approve a Removal-Fill Permit under Oregon Revised Statute (ORS) 469.401(3) covering those parcels and that the approval be included in and governed by the site certificate. For the parcels IPC has not yet had access to, IPC request that the Council include a condition in the site certificate providing IPC shall complete WOS surveys for those parcels after gaining access to the same, IPC shall supplement its Removal-Fill Permit application to finalize the information relevant to the previously unsurveyed parcels, and the Oregon Department of Energy (ODOE) may approve the supplemented Removal-Fill Permit covering all relevant Project parcels, including those that were previously unsurveyed.

## 2.0 APPLICABLE RULES AND SECOND AMENDED PROJECT ORDER PROVISIONS

#### 2.1 Site Certificate Application Requirements

Oregon Administrative Rule (OAR) 345-021-0010(1)(j) provides that Exhibit J must include the following:

- (A) A description of all areas within the site boundary that might be waters of this state and a map showing the location of these features.
- (B) An analysis of whether construction or operation of the proposed facility would adversely affect any waters of this state.
- (C) A description of the significance of potential adverse impacts to each feature identified in (A), including the nature and amount of material the applicant would remove from or place in the waters analyzed in (B).
- (D) If the proposed facility would not need a removal-fill authorization, an explanation of why no such authorization is required for the construction and operation of the proposed facility.
- (E) If the proposed facility would need a removal-fill authorization, information to support a determination by the Council that the Oregon Department of State Lands should issue a removal-fill permit, including information in the form required by the Department of State Lands under OAR Chapter 141 Division 85.
- (F) A description of proposed actions to mitigate adverse impacts to the features identified in (A) and the applicant's proposed monitoring program, if any, for such impacts.

#### 2.2 Application Requirements for Individual Removal-Fill Permits

OAR 141-085-0550 sets forth the following requirements for an application for an DSL Removal-Fill Permit:

- (1) Written Application Required. A person who is required to have an individual permit to remove material from the bed or banks, or fill any waters of this state, must file a written application with the Department for each individual project. A permit must be issued by the Department before performing any regulated removal-fill activity.
- (2) Complete and Accurate Information Required. Failure to provide complete and accurate information in the application may be grounds for administrative closure of the application file or denial, suspension or revocation of the authorization.
- (3) Fee Required for a Complete Application. For an application to be determined complete, the Department must have received the appropriate fee.
- (4) Level of Detail Required May Vary. The applicant is responsible for providing sufficient detail in the application to enable the Department to render the necessary determinations and decisions. The level of documentation may vary depending on the degree of adverse impacts, the level of public interest and other factors that increase the complexity of the project.
- (5) Required Information: A completed and signed application on current forms provided by the Department, including any maps, necessary photos and drawings, is required. The information must be entered in the appropriate blocks on the application form. The Department may require the applicant to submit any or all application materials electronically. The application must include all of the following:
  - (a) Applicant information including name, mailing address, phone number and e-mail address. When the applicant is a business entity, the business must be registered with the Oregon Secretary of State Corporate Division. The exact name of the business entity, as listed with Secretary of State Corporate Division, must be entered on the application.
  - (b) Landowner information including name and mailing address where any removal-fill activity is proposed, and if applicable, where permittee-responsible compensatory mitigation is proposed.
    - (A) For the construction of a new linear facility, the applicant must provide a complete list of landowner names and mailing addresses for all landowners whose land is identified in the permit application within the alignment of the new linear facility. Mailing labels must be provided when there are more than five landowners listed in the application.
    - (B) For the purpose of this rule, a condemner is the landowner when:
      - (i) If using state condemnation authority, the condemner has complied with ORS Chapter 35, filed an eminent domain action in court and deposited the condemner's estimate of just compensation with the court for the use and benefit of the defendants, or it has a court's order authorizing its possession of the land; or

- (ii) If using federal authority, the condemner has complied with Federal Rules of Civil Procedure 71.1 and, if other than the United States, has a court's order authorizing its possession of the land.
- (c) Project site location information including Township, Range, Quarter-quarter Section and Tax Lot(s), latitude and longitude, street location if any, and location maps with site location indicated.
- (d) The location of any off-site disposal or borrow sites, if these sites contain waters of this state.
- (e) Project information including:
  - (A) Description of all removal-fill activities associated with the project;
  - (B) Demonstration of independent utility to include all phases, projects or elements of the proposed project which will require removal-fill activities;
  - (C) Volumes of fill and removal within jurisdictional areas expressed in cubic yards;
  - (D) Area of removal and fill within jurisdictional areas expressed in acres to the nearest 0.01-acre for impacts greater than 0.01 of an acre or expressed in acres to the nearest 0.001-acre for impacts less than 0.01 of an acre; and
  - (E) Description of how the project will be accomplished including construction methods, site access and staging areas.
- (f) A description of the project purpose and need for the removal or fill. All projects must have a defined purpose or purposes and the need for removal or fill activity to accomplish the project purpose must be documented. The project purpose statements and need for the removal or fill documentation must be specific enough to allow the Department to determine whether the applicant has considered a reasonable range of alternatives.
- (g) Project plan views and cross-sectional views drawn to scale that clearly identify the jurisdictional boundaries of the waters of this state (e.g., wetland delineation or ordinary high water determination). Project details, such as work area footprint, impact area and approximate property boundaries must also be included so that the amount and extent of the impact to jurisdictional areas can be readily determined.
- (h) A written analysis of potential changes that the project may make to the hydrologic characteristics of the waters of this state, and an explanation of measures taken to avoid or minimize any adverse impacts of those changes, such as:
  - (A) Impeding, restricting or increasing flows;
  - (B) Relocating or redirecting flow; and
  - (C) Potential flooding or erosion downstream of the project.

- (i) A description of the existing biological and physical characteristics of the water resources, along with the identification of the adverse impacts that will result from the project.
- (ii) A description of the navigation, fishing and public recreation uses, when the project is proposed on state-owned land.
- (k) If the proposed activity involves wetland impacts, a wetland determination or delineation report that meets the requirements in OAR 141-090 must be submitted, unless otherwise approved in writing by the Department. A wetland delineation is usually required to determine the precise acreage of wetland impact and compensatory wetland mitigation requirements. Whenever possible, wetland determination and delineation reports should be submitted for review well in advance of the permit application. Although an approved wetland delineation report is not required for application completeness, a jurisdictional determination must be obtained prior to the permit decision.
- (I) A functions and values assessment that meets the requirements in OAR 141-085-0685 when permanent impacts to wetlands are proposed.
- (m) Any information known by the applicant concerning the presence of any state listed species.
- (n) Any information known by the applicant concerning historical, cultural and archeological resources. Information may include but is not limited to a statement on the results of consultation with impacted tribal governments and/or the Oregon State Historic Preservation Office of the Oregon Parks and Recreation Department.
- (o) An analysis of alternatives to derive the practicable alternative that has the least reasonably expected adverse impacts on waters of this state. The alternatives analysis must provide the Department all the underlying information to support its considerations enumerated in OAR 141-085-0565, such as:
  - (A) A description of alternative project sites and designs that would avoid impacts to waters of this state altogether, with an explanation of why each alternative is, or is not practicable, in light of the project purpose and need for the fill or removal;
  - (B) A description of alternative project sites and designs that would minimize adverse impacts to waters of this state with an explanation of why each alternative is, or is not practicable, in light of the project purpose and need;
  - (C) A description of methods to repair, rehabilitate or restore the impact area to rectify the adverse impacts; and
  - (D) A description of methods to further reduce or eliminate the impacts over time through monitoring and implementation of corrective measures.
- (p) If applicable, a complete compensatory mitigation plan that meets the requirements listed in OAR 141-085-0680 through 141-085-0715 and 141-085-0765 to compensate for unavoidable permanent impacts to waters of this state and a complete rehabilitation plan if unavoidable temporary impacts to waters of this state are proposed.

- (q) For each proposed removal-fill activity and physical mitigation site applied for in the application, a list of the names and addresses of the adjacent landowners, including those properties located across a street or stream from the proposed project.
  - (A) For a new linear facility, the applicant must provide a list of the names and mailing addresses of the adjacent landowners for the new linear facility.
  - (B) Mailing labels must be provided by the applicant, when there are more than five names and addresses of adjacent landowners listed.
- (r) A signed local government land use affidavit.
- (s) A signed Coastal Zone Certification statement, if the project is in the coastal zone.
- (t) Applicant Signature. Signature of the applicant must be provided. If the application is on behalf of a business entity, a certificate of incumbency must be provided to certify that the individual signing the application is authorized to do so.
- (u) Landowner Signature. If the applicant is not the landowner upon which the removal-fill activity (including mitigation) is to occur and does not hold an easement allowing the activity on that land, a written authorization from the owner of the land consenting to the application must be provided.
  - (A) Notwithstanding the requirement set forth under Subsection (u) above, a landowner signature is not required for applications for the construction and maintenance of linear facilities; and
  - (B) The condemner may sign as landowner when the requirements of OAR 141-085-0550(5)(b)(B) have been met.
- (v) Mitigation Site Landowner Signature. If the applicant is not the owner of the land upon which the mitigation is to occur and does not hold an easement allowing the activity on that land, a written authorization from the owner of the land consenting to the application must be provided.
- (w) Inventory and Evaluation if Related to Marine Resources or Removal-Fill in Oregon's Territorial Sea. A resource inventory and effects evaluation consistent with the requirements contained in the Oregon Territorial Sea Plan Part 2 is required. The resource inventory and effects evaluation must be provided as a stand-alone attachment to the applicant's Joint Permit Application.
- (6) Additional Requirements for Estuarine Fill. If the activity is proposed in an estuary for a non-water-dependent use, a complete application must also include a written statement that describes the following:
  - (a) The public use of the proposed project;
  - (b) The public need for the proposed project; and
  - (c) The availability of alternative, non-estuarine sites for the proposed use.

- (7) Additional Information as Requested. The Department may request additional information as necessary to make an informed decision on whether or not to issue the authorization.
- (8) Waiver of Required Information. At its discretion, the Department may waive any of the information requirements listed in Section (5) of this rule for voluntary restoration projects.
- (9) Permit Application Modifications. A modification to a permit application may be submitted at any time prior to the permit decision. If the modification is received after the public review period, the Department may circulate the revised application again for public review. Modifications proposing significantly different or additional adverse impacts will generally be resubmitted for public review. The Department may set an expedited time frame for public review.
- (10) Pre-Application Conference. An applicant may request the Department to hold a pre-application meeting. In considering whether to grant the request, the Department will consider the complexity of the project and the availability of Department staff.

#### 2.3 Determinations and Considerations in Evaluating Individual Removal-Fill Permit Applications

Under the relevant provisions of OAR 141-085-0565, an application for a Removal-Fill Permit is subject to the following determinations and considerations:

- (3) Department Determinations. The Department will issue a permit if it determines the project described in the application:
  - (a) Has independent utility:
  - (b) Is consistent with the protection, conservation and best use of the water resources of this state as specified in ORS 196.600 to 196.990; and
  - (c) Would not unreasonably interfere with the paramount policy of this state to preserve the use of its waters for navigation, fishing and public recreation, when the project is on state-owned lands.
- (4) Department Considerations. In determining whether to issue a permit, the Department will consider all of the following:
  - (a) The public need for the proposed fill or removal and the social, economic or other public benefits likely to result from the proposed fill or removal. When the applicant for a permit is a public body, the Department may accept and rely upon the public body's findings as to local public need and local public benefit;
  - (b) The economic cost to the public if the proposed fill or removal is not accomplished;
  - (c) The availability of alternatives to the project for which the fill or removal is proposed;
  - (d) The availability of alternative sites for the proposed fill or removal;
  - (e) Whether the proposed fill or removal conforms to sound policies of conservation and would not interfere with public health and safety;

- (f) Whether the proposed fill or removal is in conformance with existing public uses of the waters and with uses designated for adjacent land in an acknowledged comprehensive plan and land use regulations;
- (g) Whether the proposed fill or removal is compatible with the acknowledged comprehensive plan and land use regulations for the area where the proposed fill or removal is to take place or can be conditioned on a future local approval to meet this criterion:
- (h) Whether the proposed fill or removal is for stream bank protection; and
- (i) Whether the applicant has provided all practicable mitigation to reduce the adverse effects of the proposed fill or removal in the manner set forth in ORS 196.800.

#### 2.4 Second Amended Project Order

The Second Amended Project Order includes the following discussion:

The application shall include identification of wetlands and waters of the state for all areas within the site boundary, including access roads and temporary laydown areas. The applicant has proposed a "phased survey" approach for data collection during the site certificate review process. The Department understands that the entirety of the site boundary for the proposed facility may not yet have been surveyed for wetlands and waters due to limited site access. On April 24, 2018 the Department issued a memo titled; "Energy Facility Siting Council Decisions for Linear Facilities with Restricted Access within a Site Boundary: Boardman to Hemingway Transmission Line". This memo outlines how the Department will review applications and make recommendations to Council for wetlands and waters of the state that have been evaluated in the pASC and ASC. Once IPC gains access to previously restricted areas, IPC shall include that information via a site certificate amendment process. Exhibit J shall include as much information as possible about the results of the field surveys conducted to date and the schedule for future surveys.

The applicant shall include in Exhibit J as much of the information required by OAR 345-021-0010(1)(j) as possible, and the proposed path forward to obtain the information necessary for the Council to find that the requirements for a removal-fill permit have been met. Information would include an itemized demonstration of each applicable provision of ORS 196.825 (Criteria for Issuance of a Permit) and OAR 141-085-0550 (Application Requirements for All Authorizations). DSL requires a compensatory wetland, compensatory non-wetland, and temporary impacts mitigation plan be submitted with a removal-fill application.

(Second Amended Project Order, Section III(j))

#### 3.0 ANALYSIS

### 3.1 Oregon Removal-Fill Permit and Army Corps Clean Water Act Section 404 Permit

DSL and the U.S. Army Corps of Engineers (USACE) both administer wetland and waterway regulatory programs in Oregon, and a Joint Permit Application (JPA) that can be used to apply for removal-fill authorizations from both agencies. IPC will submit a JPA to DSL and USACE,

applying for the relevant authorizations necessary to address the Project's impacts on wetlands and waterways. Regarding DSL, IPC will obtain a Removal-Fill Permit under Chapter 141, Division 85, of the OAR (see below Section 3.5 and Section 3.6). With respect to USACE, Section 404 of the federal Clean Water Act establishes a program for regulating the discharge of dredged or fill material into waters of the United States (WOTUS). Proposed activities are regulated through a permit review process. An individual permit is required for potentially significant impacts. The USACE has issued general permits for certain categories of discharges that will have only minimal adverse effects. The general permit process eliminates individual review and allows certain activities to proceed with little or no delay, provided that the general or specific conditions of the general permit are met. Here, the Project will be authorized under the USACE's Nationwide General Permit 12, which authorizes activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in WOTUS, provided the activity does not result in the loss of greater than 0.5 acres of WOTUS for each single and complete project (see 82 Fed. Reg. 1985-86 (Jan. 6, 2017)).

Consistent with OAR 345-021-0010(1)(j), Exhibit J addresses the relevant DSL Removal-Fill permitting requirements and does not address USACE's Section 404 permitting process. IPC will obtain the necessary Section 404 permit directly from USACE, and the USACE authorization is not included in or governed by the site certificate (see Exhibit E, Section 3.2.4).

However, while Exhibit J does not address USACE's Section 404 permitting process, the JPA applies to both DSL's and USACE's regulatory programs and each agency has jurisdiction over different types of water bodies. For information purposes, the following discussion describes the jurisdictional limitations of the DSL and USACE wetland and waterway regulatory programs in Oregon.

#### 3.1.1 State

The Removal-Fill Permit requirements apply to "waters of this state," which include "all natural waterways, tidal and non-tidal bays, intermittent streams, constantly flowing streams, lakes, wetlands, that portion of the Pacific Ocean that is in the boundaries of this state, all other navigable and non-navigable bodies of water in this state and those portions of the ocean shore, as defined in ORS 390.605, where removal or fill activities are regulated under a state-assumed permit program as provided in 33 U.S.C. 1344(g) of the Federal Water Pollution Control Act, as amended" (OAR 141-085-0510)(95)).

Based on discussions with DSL, IPC understands that DSL does not consider ephemeral streams to be WOS. This is consistent with the regulation definition of WOS, which includes two forms of streams: constantly flowing streams and intermittent streams. Constantly flowing streams hold water continuously. Intermittent streams are defined as "any stream which flows during a portion of every year and which provides spawning, rearing or food-producing areas for food and game fish" (OAR 141-085-0510(46)). By comparison, ephemeral streams flow "only in direct response to precipitation. Water typically flows only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the stream bed is always above the water table, and stormwater runoff is the primary source of water. An ephemeral stream typically lacks biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water" (Topping et al. 2009). Because ephemeral streams do not flow continuously or during a portion of every year, and may not provide fish spawning, rearing or food-producing areas; ephemeral streams are not

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<sup>&</sup>lt;sup>1</sup> See http://www.oxforddictionaries.com/us/definition/american\_english/constantly (defining "constantly" as meaning "continuously over a period of time; always").

considered constantly flowing streams or intermittent streams, and in turn, are not considered WOS.

#### 3.1.2 Federal

The USACE's Clean Water Act jurisdiction applies to activities affecting "waters of the United States," which include the following water body categories:

- (1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (2) All interstate waters including interstate wetlands;
- (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:
  - (i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
  - (ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (iii) Which are used or could be used for industrial purpose by industries in interstate commerce:
- (4) All impoundments of waters otherwise defined as waters of the United States under the definition:
- (5) Tributaries of waters identified in paragraphs (a) (1) through (4) of this section:
- (6) The territorial seas:
- (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1) through (6) of this section.
- (8) Waters of the United States do not include prior converted cropland. . . .

33 CFR 238.3(a).2

The term "wetlands" means "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." 33 CFR 238.3(b).

Based on consultation with the USACE (Turaski and Nelson 2013) and for purpose of this Project, IPC is treating ephemeral streams as WOTUS; therefore, ephemeral streams are included in the JPA for the USACE's consideration. In contrast, as discussed above, ephemeral streams are not considered WOS subject to DSL's jurisdiction and are not addressed in Exhibit J.

<sup>&</sup>lt;sup>2</sup> In 2015, USACE and the U.S. Environmental Protection Agency adopted a final rule amending the definition of "waters of the United States" (see 80 Fed. Reg. 37054 (June 29, 2015)). However, the Court of Appeals in in re EPA, 803 F.3d 804 (6th Cir. 2015) stayed the final rule pending determination of the court's jurisdiction to consider the validity of the rule. The definition considered here appeared in 33 CFR 238.3 prior to the 2015 amendment.

#### 3.2 Analysis Area

The analysis area for Exhibit J includes all areas within the Site Boundary, which is defined as "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 micrositing corridors proposed by the applicant" (OAR 345-001-0010(55)). The Site Boundary encompasses the following facilities in Oregon:

- The Proposed Route, consisting of 270.8 miles of new 500-kilovolt (kV) electric transmission line, removal of 12 miles of existing 69-kV transmission line, rebuilding of 0.9 mile of a 230-kV transmission line, and rebuilding of 1.1 miles of an existing 138-kV transmission line:
- Four alternatives that each could replace a portion of the Proposed Route, including the West of Bombing Range Road Alternative 1 (3.7 miles), West of Bombing Range Road Alternative 2 (3.7 miles), Morgan Lake Alternative (18.5 miles), and Double Mountain Alternative (7.4 miles);
- One proposed 20-acre station (Longhorn Station).
- Ten communication station sites of less than ¼-acre each and two alternative communication station sites.
- Permanent access roads for the Proposed Route, including 206.3 miles of new roads and 223.2 miles of existing roads requiring substantial modification, and for the Alternative Routes including 30.2 miles of new roads and 22.7 miles of existing roads requiring substantial modification; and
- Thirty temporary multi-use areas and 299 pulling and tensioning sites of which four will have light-duty fly yards within the pulling and tensioning sites.

The Project features are fully described in Exhibit B and the Site Boundary for each Project feature is described in Exhibit C, Table C-24. The location of the Project features and the Site Boundary is outlined in Exhibit C.

### 3.3 Survey and Delineation Methods

In response to the size and complexity of the Project and after consultation with applicable federal and state agencies, IPC determined that data collection and field surveys for the Project would be conducted via a phased study approach which utilizes three distinct phases. During Phase 1, IPC obtained existing information regarding the occurrence of wetlands and other waters within the Site Boundary. IPC used this information to conduct desk-top studies, which were used for preliminary facility siting. In Phase 2, IPC's consultants undertook comprehensive field surveys of all portions of the Site Boundary to which IPC was granted access. Phase 3 will consist of all preconstruction surveys that may be necessary to identify wetland locations, micrositing route changes, or to close data gaps on previously unsurveyed parcels that did not have right-of-entry (ROE) prior to conducting wetland delineations.

Using the phased study approach, wetland data is being acquired, analyzed, and submitted for approval in an iterative process:

• In 2011, IPC delineated wetlands in the Site Boundary. The 2011 wetland delineations were subitted to DSL for review and concurrence. The 2011 data was used to determine preliminary impact acreage, removal-fill quantities, and partial mitigation needs for the JPA, which was submitted with the Preliminary Application for Site Certificate.

- In 2012, IPC delineated wetlands on previously inaccessible parcels within the Site Boundary and land in alternative routes proposed since 2011 fieldwork was completed. 2012 wetland delineations were submitted to DSL for review.
- In 2013, IPC delineated wetlands on four new alternative routes in the Site Boundary of the Proposed Route.
- In 2016, IPC delineated wetlands on four new proposed route locations and on three new alternatives within the Project Site Boundary.
- Combined data from the 2011, 2012, 2013, and 2016 wetland delineations were used to determine prelimary impact acreage for the JPA. These data were combined with separate prelimary impact acreage from National Wetlands Inventory (NWI) and National Hydrography Dataset (NHD) data for areas without ROE in order to make a preliminary determination of mitigation needs for the JPA.
- Combined data from 2011, 2012, 2013, and 2016 were rectified and submitted as one comprehensive delineation report to DSL in 2017 for concurrence and ODOE for completeness determination for Exhibit J.
- After EFSC issues the site certificate and before construction, IPC will conduct additional wetland surveys to close data gaps on previously unsurveyed parcels within the Site Boundary.

It is anticipated that wetland delineation will occur on previously undelineated parcels or where a change in project location or design indicates there may be an impact to WOS.

Portions of these phases will overlap chronologically, as explained in detail in Section 3.3.7, Ultimately, the outcomes of the phased data submittal process will be:

- Wetland survey on all parcels within the Site Boundary where there is potential for impacts to WOS;
- Concurrence by DSL of delineations of all wetland and other waters where impacts will occur;
- Calculation of removal-fill impacts based on delineated wetland boundary data;
- Full accounting of impacts to wetlands and other waters to ODOE and DSL; and
- Mitigation sufficient to compensate for wetland functions and values impacted by the project.

#### 3.3.1 Phase 1: Wetland Desktop Study

IPC consultants performed a desktop study to provide preliminary information about the possible number, location, and extent of wetlands or other waters that occur within the analysis area. This geographic information system exercise identified probable wetlands and other waters mapped by the U.S. Fish and Wildlife Service NWI; probable waters mapped by the NHD (USGS 2012); and potential wetland or other waters mapped by Oregon Department of Transportation Salmon Resources and Sensitive Area Mapping (OBDP 2004). It also identified areas of hydric soil mapped by Natural Resources Conservation Service (NRCS 2010).

#### 3.3.2 Phase 2: Wetland Delineation

Prior to initiating the wetland delineation, representatives from IPC and its consulting team (Tetra Tech) met with DSL staff on May 25, 2011, to discuss procedures that would facilitate

successful review of the wetland delineation and ensure that fieldwork would collect all necessary data.

In preparation for the field work, Tetra Tech collected available pre-survey data and prepared field maps to be used for identifying the locations of probable wetlands and non-wetland waters within the Site Boundary. Pre-survey data included three feature types:

- Wetlands data came from the Oregon Wetlands database (Oregon Spatial Data Library 2011) which includes NWI, approved Local Wetland Inventories and miscellaneous wetland mapping by state and federal agencies, nongovernmental organizations, academia, consultants, and desktop aerial photo-interpretation.
- Hydric soils data came from the Oregon Wetlands database (Oregon Spatial Data Library 2011) which includes statewide polygon cover of hydric, partially hydric, and related wetland soils from NRCS soil surveys.
- Surface water data came from NHD (USGS 2012), and desktop aerial photointerpretation.

Data from these sources were plotted on high resolution aerial photography (ESRI 2012). The resulting field figures were used by the wetland delineation field staff to guide their investigations.

To improve consistency of the delineations, wetland delineation field staff attended a 2-day session on June 20 and 21, 2011, conducted by Tetra Tech staff. The training was comprised of an office day where the Oregon Streamflow Duration Assessment Methodology (OSDAM) and project specific methods of wetland documentation were reviewed, and a field day where different wetland and stream types were observed. The following guidance documents and procedures were reviewed:

- 1987 USACE Wetlands Delineation Manual (Environmental Laboratory 1987);
- Regional Supplement to the USACE Wetland Delineation Manual: Arid West Region (Version 2.0) (USACE 2008);
- Regional Supplement to the USACE Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0) (USACE 2010);
- OAR Chapter 141, Division 090, Administrative Rules for Wetland Delineation Report Requirements and for Jurisdictional Determinations for the Purpose of Regulating Fill and removal Within Waters of the State;
- OSDAM methodology (Topping et al. 2009); and
- In-the-field examples of sample plot location and documenting field conditions to meet the requirements and guidance of the USACE and DSL.

Wetland presence was determined according to the 1987 USACE Wetlands Delineation Manual (Environmental Laboratory 1987) methods and the regional supplements, as appropriate. The USACE Arid West Regional Supplement was used in the majority of the study area with the exception of higher elevation areas around the Wallowa-Whitman National Forest. In these higher elevation areas, the Western Mountains, Valleys, and Coast Regional Supplement was used. Delineations used the Routine Determination, as described in the 1987 USACE Wetlands Delineation Manual (Environmental Laboratory 1987) and amended by the applicable regional supplement.

- Sample plots were established in wetlands identified by NWI data and hydric soil map units (Oregon Spatial Data Library 2011). The sample plots were located within the feature where it was judged most likely to have wetland characteristics (i.e., the lowest or greenest place).
- Paired sample plots were established in logical locations to document irregularities in wetland boundaries.
- The number of sample plots established in wetlands was commensurate with the size and complexity of the wetland; and ranged from 2 to several.
- All soil pits were excavated to 20 inches unless excavation refusal was encountered. If excavation was not conducted to 20 inches, an explanation was entered on the wetland delineation form.
- Each wetland boundary was recorded as a polygon using a resource grade Trimble® global positioning system (GPS) unit.
- OSDAM was the standard method used to evaluate non-wetland waters.
- An individual OSDAM form was filled out for all streams that, in the field, appeared to be intermittent or perennial.
- In 2013 and 2016, individual SDAM forms were not filled out for all intermittent and perennial streams; however, the SDAM methodology (Nadeau 2011 and 2015) was used by field staff as needed for determining flow duration, and forms were filled out only at select representative streams.
- Streams were mapped at bankfull elevation rather than at ordinary high water (OHW) per DSL linear project guidance (DSL 2011).
- For features that were greater than 6 feet wide, bankfull width of streams was
  documented with a GPS by recording each bank with a GPS line. For features that were
  less than 6 feet wide or the opposite bank was not accessible, the centerline was
  documented with a GPS by recording the center of the channel with a GPS line and
  recording the associated channel width.

Any water feature possessing wetland characteristics based on the USACE 1987 methods and appropriate supplements was assumed to be preliminarily jurisdictional at the state and at the federal level. All non-wetland water features that have characteristics of perennial or intermittent streams based on OSDAM results, or non-wetland other waters, are also assumed to be preliminarily jurisdictional at the state and federal level.

Ephemeral streams are not included in the definition of WOS (ORS 196.800 (15)); therefore, they are not reported in this document. Ephemeral streams are being considered preliminarily jurisdictional at the federal level and are included in the JPA (Attachment J-3).

GPS data documenting boundaries of wetlands and other waters was collected using Trimble GeoExplorer GPS units.

Methods for the 2012 wetland delineation were consistent with the 2011 methods, including the training session, wetland determination methods, data collection and mapping protocols, and equipment.

Methods for the 2013 and 2016 wetland delineations were consistent with 2011 and 2012 methods, except Streamflow Duration Assessment Method for Oregon (SDAM; Nadeau 2011 and 2015) was used instead of OSDAM, to differentiate ephemeral from intermittent streams.

#### 3.3.3 Phase 3: Wetland Survey and Reporting on Unsurveyed Parcels

Following issuance of the site certificate and prior to construction, IPC will perform wetland surveys, delineations and reporting on any parcels not yet surveyed at the time of issuance of the site certificate or where a change in project location or design indicates there may be an impact to WOS. In some cases, IPC may not obtain access rights until after issuance of the site certificate. All such surveys will be conducted in compliance with applicable conditions to the site certificate, and wetland delineation methods will be consistent with methods used in 2011, 2012, 2013, and 2016.

#### 3.4 Site Certificate Application Requirements

#### 3.4.1 Description and Location of Waters of this State

OAR 345-021-0010(1)(j)(A): A description of all areas within the site boundary that might be waters of this state and a map showing the location of these features.

A description of all areas within the Site Boundary that might be WOS is provided in the delineation results of this section. Attachment J-1 includes maps showing the locations of these features.

IPC conducted surveys for the presence of wetlands and other waters in 2011, 2012, 2013, and 2016. Information reported in this exhibit includes results of all four years of wetland surveys.

Delineated wetlands and other waters were mapped according to DSL map standards. Wetlands or other waters to which crews did not have access were mapped according to the best available data. For NWI-mapped or NHD-mapped features, the boundaries or locations of the features as mapped by NWI or NHD were used. A stream width of 6 feet was applied to NHD-mapped features that have not yet been accessed in the field. The boundaries for NHD stream features (e.g., canals) that are clearly wider than 6 feet when analyzed using aerial photo-interpretation were digitized.

The wetland delineation report for the Project was organized by each county crossed by the Project. To preserve this county-by-county organization and facilitate possible cross referencing between the wetland delineation report and this exhibit, that organization is maintained in the figures and tables in this exhibit. Addenda to the 2011 delineation report were prepared in 2013 and 2014, reporting the results of 2012 and 2013 fieldwork, respectively (all features delineated in 2011 were included in the wetland delineation report. In 2013 and 2014, only those additional features proposed for impact were included in the delineation report).

Locations of all WOS (delineated features, NWI, NHD, and from aerial-photo interpretation) are displayed in Attachment J-1 figures. Their individual characteristics are reported in Attachment J-2, Tables 1 through 5. Ephemeral streams, which are not WOS, are not included on the maps or in the tables of this Exhibit. Ephemeral streams (which are assumed to be federally jurisdictional) are included in the Other Waters impact tables and the Wetlands and Waters Impact Location maps of the JPA (Attachment J-3), which will be reviewed (for federal jurisdiction) by the USACE for a Section 404 permit. Detailed descriptions of all delineated wetlands and other waters are included in the Wetland Delineation Report (Attachment J-4).

#### 3.4.2 Impacts to Waters of this State

OAR 345-021-0010(1)(j)(B): An analysis of whether construction or operation of the proposed facility would adversely affect any waters of this state.

#### 3.4.2.1 Description of Avoidance and Minimization Efforts

Since the start of Project planning and design, IPC has consistently made efforts to avoid and minimize impacts to wetlands and other waters. While developing the initial Project layout, IPC utilized NWI, NHD, and aerial photo-interpreted data to inform the preliminary engineering of towers, roads, and other project infrastructure. These Project components were located outside of wetlands and other waters to the maximum extent feasible. After the wetland delineations in 2011, 2012 and 2013, the resulting wetland data were used to inform the relocation of all proposed facilities. Wetland data from the 2016 delineation will be assessed for additional potential relocation of proposed facilities.

After preliminary analyses of impacts were conducted (based on 2011, 2012, and 2013 delineations) the impact sites identified in the analyses were returned to the Project engineers to further avoid and reduce impacts. This iterative process of Project layout being informed by wetland and other waters data, resulting in relocation of Project facilities where possible to avoid or minimize impacts, will continue throughout the Project design.

The effectiveness of the Project's avoidance and minimization effort is demonstrated by the quantity of wetlands and waters occurring within the Site Boundary that are avoided by the Project. Tables 6 through 10 in Attachment J-2 summarize impacts by affected feature. Many wetlands and other waters have both a permanent and temporary impact reported, so the total number of unique features impacted is less than the sum of the permanent and temporary impact sites.

Tables 6 through 10 in Attachment J-2 summarize impacts by affected feature. Detailed avoidance and minimization information is provided in Attachment J-3, JPA, Appendices L and M.

#### 3.4.2.2 Methods for Estimating Impacts

A preliminary estimate of impacts to wetlands and other waters was conducted based on data available in 2016. Data used in the analysis included:

- Delineated boundaries of wetlands and other waters from 2011, 2012, 2013, and 2016 fieldwork;
- NWI and NHD mapping, and desktop aerial photo-interpretation on parcels that have not been granted ROE; and
- Most current Project layout (September 2016), including impact buffers.

The four water resource data sets listed above (2011, 2012, 2013, and 2016 delineations; NWI; NHD; and desktop aerial photo-interpretation) were compared to the Project layout. Points where the Project layout intersected with the wetland data sets were considered impacts. Preliminary impacts are listed by site in Attachment J-2, Tables 6 through10.

Because this analysis includes NWI, NHD, and desktop aerial photo-interpreted wetlands and other waters that have not been evaluated or delineated, actual Project impacts are expected to change once delineations and final avoidance and minimization planning are complete.

#### 3.4.2.3 Impacts Identified

During operation, the Project will not adversely affect WOS. There will be no removal or fill of WOS during the Project's operation. Roads will be constructed using best management practices (BMPs). The Project's Erosion and Sediment Control Plan (Exhibit I; Attachment I-3) lists construction BMPs to prevent erosion and sediment delivery to WOS. Road crossings will be constructed such that they do not affect existing flow characteristics of WOS, including duration, extent of wetted channel, overflow or bypass channels, meander opportunities or downstream hydraulic and hydrologic characteristics.

As part of construction of the Project, portions of some wetlands and waters will be permanently removed or filled, converting them to uplands. These impacts will be mitigated concurrent with Project construction, in accordance with the compensatory wetland and non-wetland mitigation plans. Temporal effects to wetland functions and values will be mitigated because the mitigation will be constructed concurrent with or prior to project construction and wetland impacts. Therefore, the time lag between the wetland impact, and when the functions are replaced by the mitigation, will be as short as possible, with a result of no net adverse effect to WOS.

Any temporary impacts on WOS during construction or operation will be rehabilitated within 24 months according to the Wetland Site Rehabilitation Plan, which is included as part of the JPA.

#### 3.4.3 Description of Significance of Impacts to Waters of this State

OAR 345-021-0010(1)(j)(C): A description of the significance of potential adverse impacts to each feature identified in (A), including the nature and amount of material the applicant would remove from or place in the waters analyzed in (B).

By using NWI and NHD data, and field surveys, IPC identified 177 potential wetlands and 425 potential non-wetland WOS. All of these features are tabulated in Attachment J-2, Tables J-2-1A through J-2-5B. Of these features, 11 wetlands and 26 non-wetland WOS were field surveyed/delineated, and may be subject to some temporary or permanent impact. Potential wetlands and non-wetland WOS that were not field-verified and delineated due to right of entry constraints, will be visited in the future once right of entry has been secured.

The estimated impact to field surveyed/delineated wetland features, includes 0.21 acres of total permanent impacts and 0.386 acres of total temporary impacts. The estimated impact to field surveyed/delineated non-wetland WOS, includes 0.07 acres of total permanent impacts and 0.139 acres of total temporary impact.

Delineated wetlands and non-wetland WOS within the Site Boundary that may be temporarily and/or permanently impacted by the project, are tabulated in Attachment J-2, Tables J-2-6A through J-2-10A. Calculations of removal and fill for each WOS site are included in the JPA, Appendix G and Appendix O.

Temporary impacts to wetland and non-wetland WOS will be mitigated by restoring the sites to existing conditions, according to the site restoration plan, so adverse effects to these sites are not anticipated.

IPC evaluated wetland functions and values using the Oregon Rapid Wetland Assessment Protocol (ORWAP) (Adamus et al. 2010). Results of ORWAP evaluations will be used to assess wetland functions that will be affected by wetland impacts. ORWAP results will assist in the determination of significance of proposed wetland impacts by providing an analysis of changes to affected wetlands. ORWAP results and the analysis of impacts to functions, is incorporated in the draft Compensatory Wetland and Non-Wetland Mitigation Plan (CWNWMP) attached to the

Exhibit J

JPA, Appendix T. Changes to wetland functions will be mitigated through implementation of the CWNWMP, approved by both DSL and USACE.

#### 3.4.4 Why Removal-Fill Authorization is Not Needed

OAR 345-021-0010(1)(j)(D): If the proposed facility would not need a removal-fill authorization, an explanation of why no such authorization is required for the construction and operation of the proposed facility.

OAR 345-021-0010(1)(j)(D) requires an explanation if a removal-fill authorization (Removal-Fill Permit) is not needed. Here, because the Project will require a Removal-Fill Permit, OAR 345-021-0010(1)(j)(D) does not apply.

#### 3.4.5 Information to Support Removal-Fill Authorization

OAR 345-021-0010(1)(j)(E): If the proposed facility would need a removal-fill authorization, information to support a determination by the Council that the Oregon Department of State Lands should issue a removal-fill permit, including information in the form required by the Department of State Lands under OAR Chapter 141 Division 85.

Section 3.5 below discusses the application submission requirements and agency review standards relevant to an Removal-Fill Permit application.

#### 3.4.6 Mitigation

OAR 345-021-0010(1)(j)(F): A description of proposed actions to mitigate adverse impacts to the features identified in (A) and the applicant's proposed monitoring program, if any, for such impacts.

#### 3.4.6.1 Wetland and Stream Functional Assessments

For linear projects, DSL requires, at a minimum, a functional assessment of the predominant wetland type in each fourth-field Hydrologic Unit Code (HUC). In addition to this requirement, typical wetlands of each wetland type (Cowardin class; Cowardin et al. 1979) in representative landscape settings were assessed using ORWAP (Adamus et al. 2010). Results of the wetland assessments were used to help determine the significance of potential wetland impacts and the appropriate types of wetland mitigation. Results of the wetland assessments are attached to the CWNWMP.

To meet DSL requirements for stream functional assessments, IPC requested draft stream function assessment material from DSL and used the material provided by DSL to develop a stream function assessment tool specifically for use on the Project. IPC provided the assessment tool to DSL for review, and incorporated DSL's comments into the assessment tool. This tool was then used to assess the functions of representative streams. Results of the stream assessments are attached to the CWNWMP.

#### 3.4.6.2 Wetland Mitigation Planning

IPC developed a preliminary CWNWMP included as Appendix T to the JPA (Attachment J-3) to address both wetland and non-wetland WOS compensatory mitigation. The CWNWMP provides for the creation of functioning wetlands and enhancement of existing wetlands at a mitigation site in Union County, Oregon, referred to as the Hassinger Mitigation Site. IPC chose the site through a careful selection process. In 2011, IPC investigated several potential mitigation sites. In 2015, a wetland delineation was performed at the Hassinger site, and a delineation report

was submitted to DSL in 2017. DSL issued a letter of concurrence dated November 1, 2017, regarding the findings of the 2015 wetland delineation.

Based in part on guidance received during meetings with DSL regarding wetland mitigation for the Project, IPC met with and developed a collaborative mitigation partnership with the Grande Ronde Model Watershed (GRMW) based in La Grande, Oregon. The preliminary CWNWMP is the product of IPC's partnership with GRMW and was developed in cooperation with GRMW.

The preliminary CWNWMP is intended to provide mitigation for all foreseeable unavoidable Project impacts to WOS, and DSL has indicated that the mitigation actions in the CWNWMP are sufficient to mitigate the relevant potential Project impacts. The CWNWMP provides for a combination of wetland and stream restoration by creation and enhancement on approximately 6.21 acres of floodplain and stream channel along Catherine Creek, a tributary of the Grande Ronde River. The quantity of compensatory mitigation—i.e., 6.21 acres—is a conservative estimate intended to cover impacts to WOS in areas IPC has already surveyed and delineated, and potential WOS in areas that IPC has not yet had access to survey. The CWNWMP is considered "preliminary" because the quantity of required compensatory mitigation will be finalized only after the final design for the Project is completed, at which time, IPC will finalize the CWNWMP to align with the final compensatory mitigation requirement and to adjust the scope of the mitigation actions accordingly.

#### 3.5 Application Requirements for Individual Removal-Fill Permit

#### 3.5.1 Written Application Required

OAR 141-085-0550(1): A person who is required to have an individual permit to remove material from the bed or banks, or fill any waters of this state, must file a written application with the Department for each individual project. A permit must be issued by the Department before performing any regulated removal-fill activity.

OAR 141-085-0550(1) requires that, if an Removal-Fill Permit is required, the project proponent must submit a written application for such permit. Here, a complete application for an Removal-Fill Permit in the form required by DSL is attached hereto as the JPA, Attachment J-3.

#### 3.5.2 Complete and Accurate Information Required

OAR 141-085-0550(2): Failure to provide complete and accurate information in the application may be grounds for administrative closure of the application file or denial, suspension or revocation of the authorization.

OAR 141-085-0550(2) requires an application for an Removal-Fill Permit be complete and accurate. In this instance, the information in the JPA is complete and accurate. Information provided in the JPA is based on current wetland delineations, indicative project design, and impact assessment. Changes to the Project after submittal may result in the need to submit additional or modified information to DSL.

#### 3.5.3 Fee Required for a Complete Application

OAR 141-085-0550(3): For an application to be determined complete, the Department must have received the appropriate fee.

Under OAR 141-085-0550(2), a fee is required for an Removal-Fill Permit application. For this Project, the Removal-Fill fee which is based on a base fee plus the fee for cubic yardage of removal and fee volumes will be paid to DSL by IPC. The Removal-Fill fee will be paid prior to

approval of the permit or as DSL stipulates. DSL may recover costs incurred to the agency for the B2H review of the wetland delineation and permit review through the cost recovery agreement with ODOE.

#### 3.5.4 Level of Detail Required May Vary

OAR 141-085-0550(4): The applicant is responsible for providing sufficient detail in the application to enable the Department to render the necessary determinations and decisions. The level of documentation may vary depending on the degree of adverse impacts, the level of public interest and other factors that increase the complexity of the project.

OAR 141-085-0550(4) provides that the level of detail required to complete an Removal-Fill Permit application may vary depending on certain factors. Here, IPC has met with Dan Cary and Sarah Kelly, DSL permit coordinators, as well as the ODOE siting officer to determine the level of detail that will be needed for the Removal-Fill Permit. Consistent with those discussions, IPC has used wetland delineation data from 2011, 2012, 2013, and 2016; and the indicative design as detailed in Exhibit C of this Application as the basis for preparing the JPA, which:

- Identifies all areas of impact;
- Includes typical drawings of impact sites; and
- Includes a wetland and non-wetland mitigation plan, and restoration plan for temporary impacts.
- Final Removal-Fill quantities will be provided in the final JPA after final design is completed.

Consequently, the JPA and CWNWMP account for all proposed impacts.

#### 3.5.5 Required Information

#### 3.5.5.1 Complete and Signed Application

OAR 141-085-0550(5): A completed and signed application on current forms provided by the Department, including any maps, necessary photos and drawings, is required. The information must be entered in the appropriate blocks on the application form. The Department may require the applicant to submit any or all application materials electronically. The application must include all of the following:

DSL requires that an applicant seeking an Removal-Fill Permit submit a complete and signed JPA (see OAR 141-085-0550(5)). Here, DSL will receive a copy of IPC's Amended Preliminary Application for Site Certificate from ODOE, including a signed and complete JPA.

#### 3.5.5.2 Applicant Information

OAR 141-085-0550(5)(a): Applicant information including name, mailing address, phone number and e-mail address. When the applicant is a business entity, the business must be registered with the Oregon Secretary of State Corporate Division. The exact name of the business entity, as listed with Secretary of State Corporate Division, must be entered on the application.

OAR 141-085-0550(5)(a) requires an Removal-Fill Permit applicant to provide certain contact information. In this instance, IPC's contact information is provided in the JPA form, including the name that IPC has listed with the Secretary of State Corporate Division (see JPA, Section 1).

#### 3.5.5.3 Landowner Information

OAR 141-085-0550(5)(b): Landowner information including name and mailing address where any removal-fill activity is proposed, and if applicable, where permittee-responsible compensatory mitigation is proposed. (A) For the construction of a new linear facility, the applicant must provide a complete list of landowner names and mailing addresses for all landowners whose land is identified in the permit application within the alignment of the new linear facility. Mailing labels must be provided when there are more than five landowners listed in the application. (B) For the purpose of this rule, a condemner is the landowner when: (i) If using state condemnation authority, the condemner has complied with ORS Chapter 35, filed an eminent domain action in court and deposited the condemner's estimate of just compensation with the court for the use and benefit of the defendants, or it has a court's order authorizing its possession of the land; or (ii) If using federal authority, the condemner has complied with Federal Rules of Civil Procedure 71.1 and, if other than the United States, has a court's order authorizing its possession of the land.

OAR 141-085-0550(5)(b) requires certain information about the owner of the land where the removal-fill activity and compensatory mitigation will take place. Here, property owner information for each Removal-Fill site and all associated mitigation sites will be provided in Exhibit F of the ASC as instructed by ODOE, and in JPA Appendix A. Mailing labels will be provided when requested by ODOE. IPC will provide the name and mailing address for all landowners whose land is identified in the JPA for Removal-Fill activity. In the event that IPC is not able to obtain either landowner consent or an easement for use of private property where Removal-Fill activity is proposed, IPC will seek to obtain either (1) title to the property through a negotiated purchase; or (2) a court order or judgment authorizing use of the property through exercise of IPC's condemnation authority under ORS Chapter 772. If IPC later becomes a "landowner" for purposes of this rule, either by purchase or use of condemnation authority, IPC will provide ODOE and DSL with updated property owner information reflecting that change in ownership.

#### 3.5.5.4 Project Location

OAR 141-085-0550(5)(c): Project site location information including Township, Range, Quarter/Quarter Section and Tax Lot(s), latitude and longitude, street location if any, and location maps with site location indicated.

Under OAR 141-085-0550(5)(c), the JPA must include certain project location information. For the Project, the relevant location information is provided in Appendix C of the JPA (see JPA, Section 2).

#### 3.5.5.5 Disposal or Borrow Site Locations

OAR 141-085-0550(5)(d): The location of any off-site disposal or borrow sites, if these sites contain waters of this state.

OAR 141-085-0550(5)(d) requires identification of disposal or borrow sites. Because the Project will not include any disposal or borrow sites that contain WOS, OAR 141-085-0550(5)(d) does not apply to the Project.

#### 3.5.5.6 Project Description

OAR 141-085-0550(5)(e): Project information including: (A) Description of all removal-fill activities associated with the project; (B) Demonstration of independent utility to include all phases, projects or elements of the proposed project which will require removal-fill activities;(C) Volumes of fill and removal within jurisdictional areas expressed in cubic yards;(D) Area of removal and fill within jurisdictional areas expressed in acres to the nearest 0.01-acre for impacts greater than 0.01 of an acre or expressed in acres to the nearest 0.001-acre for impacts less than 0.01 of an acre; and (E) Description of how the project will be accomplished including construction methods, site access and staging areas.

OAR 141-085-0550(5)(e) requires a description of (A) the removal-fill activities, (B) the Project's independent utility, (C) the volume of materials being removed or filled, (D) the area affected by the removal-fill activities, and (E) how the project will be completed. Here, the information requested under OAR 141-085-0550(5)(e)(A), (C), and (D) is described in JPA Section 6. The independent utility of the Project, as required under OAR 141-085-0550(5)(e)(B), is addressed in JPA Section 3. Finally, with respect to OAR 141-085-0550(5)(e)(E), a description of how the Project will be accomplished, including construction methods, is submitted in Appendix K of the JPA.

#### 3.5.5.7 Project Purpose and Need

OAR 141-085-0550(5)(f): A description of the purpose and need for the project. All projects must have a defined purpose or purposes and be based on a documented need or needs. The project purpose and need statement must be specific enough to allow the Department to determine whether the applicant has considered a reasonable range of alternatives.

Under OAR 141-085-0550(5)(f), an Removal-Fill Permit application must include a description of the Project's purpose and need and the alternatives considered. Here, the Project purpose and need is discussed in the JPA, Appendix F, as well as in Exhibits B and N. Alternatives evaluated are discussed in the JPA, Appendix I, and in Exhibits B and N. At the impact site level, Table I-1 in Appendix I of the JPA includes information about alternative sites for proposed removal or fill at some impact sites.

#### 3.5.5.8 Project Plans

OAR 141-085-0550(5)(g): Project plan views and cross-sectional views drawn to scale that clearly identify the jurisdictional boundaries of the waters of this state (e.g., wetland delineation or ordinary high water determination). Project details, such as footprint and impact area must also be included so that the amount and extent of the impact to jurisdictional areas can be readily determined.

OAR 141-085-0550(5)(g) requires submission of project plan views. In this instance, Project plan views and typical cross sections are submitted in Appendix K of the JPA.

#### 3.5.5.9 Hydrologic Characteristic Changes

OAR 141-085-0550(5)(h): A written analysis of potential changes that the project may make to the hydrologic characteristics of the waters of this state, and an explanation of measures taken to avoid or minimize any adverse impacts of those changes, such as: (A) Impeding, restricting or increasing flows; (B) Relocating or redirecting flow; and (C) Potential flooding or erosion downstream of the project.

Information about a project's changes to the hydrological characteristics of WOS is required under OAR 141-085-0550(5)(h). Here, JPA Appendix I includes information on the changes to the hydrological characteristics associated with the Project. Avoidance and minimization measures to address such changes are addressed in the erosion and sediment control plan (1200-C), which is attached to Exhibit I as Attachment I-3.

#### 3.5.5.10 Existing Biological and Physical Characteristics

OAR 141-085-0550(5)(i): A description of the existing biological and physical characteristics of the water resources, along with the identification of the adverse impacts that will result from the project.

OAR 141-085-0550(5)(i) requires a description of the biological and physical characteristics of the relevant WOS and adverse impacts thereto. For the Project, the biological and physical characteristics of the impacted water resources and the impacts to such resources are described in the JPA Appendix G.

#### 3.5.5.11 State Land Uses

OAR 141-085-0550(5)(j): A description of the navigation, fishing and public recreation uses, when the project is proposed on state-owned land.

OAR 141-085-0550(5)(j) requires information about impacts on navigation, fishing, and public recreation uses on state-owned land. Here, the Project will not involve any removal-fill activities on state-owned land within the Site Boundary (see JPA Section 4.b). Therefore, OAR 141-085-0550(5)(j) does not apply to the Project.

#### 3.5.5.12 Wetland Delineation Report

OAR 141-085-0550(5)(k): If the proposed activity involves wetland impacts, a wetland determination or delineation report that meets the requirements in OAR 141-090 must be submitted, unless otherwise approved in writing by the Department. A wetland delineation is usually required to determine the precise acreage of wetland impact and compensatory wetland mitigation requirements. Whenever possible, wetland determination and delineation reports should be submitted for review well in advance of the permit application. Although an approved wetland delineation report is not required for application completeness, a jurisdictional determination must be obtained prior to the permit decision.

OAR 141-085-0550(5)(k) requires preparation of a wetland delineation report for projects affecting wetlands. With respect to the Project, IPC submitted a 2011 wetland delineation report to DSL. Additional wetland delineations were conducted in 2012, 2013, and 2016 on previously unsurveyed parcels, and on portions of the Site Boundary that were not included in the wetland delineation study area in 2011. Information for the 2012 survey was submitted to DSL as an addendum to the 2011 wetland delineation report. A comprehensive Project wetland delineation report was submitted in 2017 and included relevant information from 2011, 2012, 2013, and 2016.

#### 3.5.5.13 Functions and Values Assessment

OAR 141-085-0550(5)(I): A functions and values assessment that meets the requirements in OAR 141-085-0685 when permanent impacts to wetlands are proposed.

Under OAR 141-085-0550(5), DSL requires a functions and values assessment when wetlands are permanently impacted. Here, wetland functions and values were assessed with ORWAP on

a sample of wetlands of each class in each fourth-field HUC watershed crossed by the Project. The results of these wetland assessments are included in the Project's CWNWMP, and will be used to estimate the wetland functions and values that will be impacted by the Project (see JPA Section 8.D and Appendix T).

#### 3.5.5.14 State Listed Species

OAR 141-085-0550(5)(m): Any information known by the applicant concerning the presence of any federal or state listed species.

OAR 141-085-0550(5)(m) requires information on state listed species. In this instance, IPC conducted surveys of the Project for state listed species. Results of the surveys are reported in Exhibit Q. Listed species identified in the Site Boundary are provided in the JPA, Appendix H.

#### 3.5.5.15 Historical, Cultural, and Archeological Resources

OAR 141-085-0550(5)(n): Any information known by the applicant concerning historical, cultural and archeological resources. Information may include but is not limited to a statement on the results of consultation with impacted tribal governments and/or the Oregon State Historic Preservation Office of the Oregon Parks and Recreation Department.

OAR 141-085-0550(5)(m) requires information on historical, cultural, and archeological resources. For the Project, surveys of historic, cultural, and archaeological resources are ongoing. The surveys are being conducted in consultation with tribal governments and the Oregon State Historic Preservation Office. Additionally, discussion of historical, cultural and archaeological resources is provided in Exhibit S. A statement regarding surveys of historic, cultural and archaeological resources is included in JPA Section 7 and Appendix Q.

#### 3.5.5.16 Alternatives Analysis

OAR 141-085-0550(5)(o): An analysis of alternatives to derive the practicable alternative that has the least reasonably expected adverse impacts on waters of this state. The alternatives analysis must provide the Department all the underlying information to support its considerations enumerated in OAR 141-085-0550 (o), such as: (A) A description of alternative project sites and designs that would avoid impacts to waters of this state altogether, with an explanation of why each alternative is, or is not practicable, in light of the project purpose and need; (B) A description of alternative project sites and designs that would minimize adverse impacts to waters of this state with an explanation of why each alternative is, or is not practicable, in light of the project purpose and need; (C) A description of methods to repair, rehabilitate or restore the impact area to rectify the adverse impacts; and (D) A description of methods to further reduce or eliminate the impacts over time through monitoring and implementation of corrective measures.

OAR 141-085-0550(5)(o) provides for information regarding the alternatives analysis and the practicable alternative having the least reasonably expected adverse impacts on WOS. Here, JPA Section 5 and Appendix I, as well as in Exhibits B and N (see OAR 141-085-0550(5)(o)(A), (B)). Moreover, potential impacts to WOS are one of many considerations included in the evaluation of each potential alternative route. Planning efforts for the Project included locating Project components to avoid probable wetlands and other waters identified in the desktop study. Additional information obtained from the 2011, 2012, and 2013 wetland delineations was also used to help site facilities to avoid and minimize impacts to the extent practicable.

With respect to repairing Project impacts, a restoration plan for temporary wetland impacts has been provided as Appendix S of the JPA (see OAR 141-085-0550(5)(o)(C)). The plan provides specific information for the restoration of hydrologic, soil and vegetation characteristics of temporarily impacted wetlands and other waters, to existing conditions.

To further reduce or eliminate impacts over time, future planning will include specific measures to avoid and minimize impacts to wetlands and other waters as well as other resources (see OAR 141-085-0550(5)(o)(D)).

#### 3.5.5.17 Compensatory Mitigation Plan

OAR 141-085-0550(5)(p): If applicable, a complete compensatory mitigation plan that meets the requirements listed in OAR 141-085-0680 through 141-085-0715 and 141-085-0765 to compensate for unavoidable permanent impacts to waters of this state and a complete rehabilitation plan if unavoidable temporary impacts to waters of this state are proposed.

OAR 141-085-0550(5)(p) requires a compensatory mitigation plan, if applicable. IPC has prepared its draft CWNWMP in full compliance with applicable OARs and additional Project-specific guidance from DSL. The CWNWMP is provided as JPA Appendix T. IPC is developing the CWNWMP in partnership with the GRMW. When complete and approved as final, the CWNWMP will, among other things, describe construction and monitoring of the mitigation site.

#### 3.5.5.18 Adjacent Landowners

OAR 141-085-0550(5)(q): For each proposed removal-fill activity and physical mitigation site applied for in the application, a list of the names and addresses of the adjacent landowners, including those properties located across a street or stream from the proposed project. (A) For a new linear facility, the applicant must provide a list of the names and mailing addresses of the adjacent landowners for the new linear facility. (B) Mailing labels must be provided by the applicant, when there are more than five names and addresses of adjacent landowners listed.

Under OAR 141-085-0550(5)(q), Removal-Fill Permit applicants must provide contact information for owners of land adjacent to the removal-fill activities and mitigation sites. Under OAR 141-085-0550(5)(q)(A), Removal-Fill Permit applicants must provide contact information for owners of land adjacent a new linear facility. IPC will include a list of the names and addresses of all landowners who own properties adjacent to the Project including properties proposed for either Removal-Fill activity or a mitigation activity; IPC understands "adjacent" to include properties adjacent to the Project located across a street or stream, and include adjacent large properties within 0.25 mile from the Project. The adjacent landowner information will be provided in Exhibit F of the ASC as instructed by ODOE (see also JPA Section 9 and Appendix V). Mailing labels will be provided when requested by ODOE.

#### 3.5.5.19 Local Government Land Use Affidavit

OAR 141-085-0550(5)(r): A signed local government land use affidavit.

OAR 141-085-0550(5)(r) requires a signed local government land use affidavit. Here, because IPC will seek a determination from the Council that the Project complies with local land use standards under ORS 469.504(1)(b), a local government land use affidavit is not required. IPC understands that the local government land use affidavit is covered by the site certificate.

#### 3.5.5.20 Coastal Zone Certification Statement

OAR 141-085-0550(5)(s): A signed Coastal Zone Certification statement, if the project is in the coastal zone.

OAR 141-085-0550(5)(s) requires, if a project is in the coastal zone, the Removal-Fill Permit applicant provide a signed Coastal Zone Certification statement. Because the Project is not in the coastal zone, OAR 141-085-0550(5)(s) does not apply to the Project.

#### 3.5.5.21 Applicant Signature

OAR 141-085-0550(5)(t): Applicant Signature. Signature of the applicant must be provided. If the application is on behalf of a business entity, a certificate of incumbency must be provided to certify that the individual signing the application is authorized to do so.

OAR 141-085-0550(5)(t) requires that an application for an Removal-Fill Permit be signed by the applicant. Here, IPC is submitting its JPA to ODOE as part of its application for a site certificate along with evidence in Exhibit A regarding Applicant Information that includes proof of authority for the application on IPC's behalf, which should be sufficient to meet the purpose or provisions of OAR 141-085-0550(5)(t). In addition, IPC will provide a signed certificate of incumbency.

#### 3.5.5.22 Landowner Signature

OAR 141-085-0550(5)(u): Landowner Signature. If the applicant is not the landowner upon which the removal-fill activity (including mitigation) is to occur and does not hold an easement allowing the activity on that land, a written authorization from the owner of the land consenting to the application must be provided. (A) Notwithstanding the requirement set forth under (u) above, a landowner signature is not required for applications for the construction and maintenance of linear facilities; and (B) The condemner may sign as landowner when the requirements of OAR 141-085-0550(5)(b)(B) have been met.

OAR 141-085-0550(5)(u) requires signatures of landowners affected by the removal-fill activities. However, landowner signatures are not required for linear facility projects (see OAR 141-085-0550(5)(u)(A)). Here, the Project is a linear project, and therefore, landowner signatures are not required.

#### 3.5.5.23 Mitigation Site Landowner Signature

OAR 141-085-0550(5)(v): Mitigation Site Landowner Signature. If the applicant is not the owner of the land upon which the mitigation is to occur and does not hold an easement allowing the activity on that land, a written authorization from the owner of the land consenting to the application must be provided.

OAR 141-085-0550(5)(v) requires signatures of owners of the mitigation sites if the project proponent does not hold an easement for the mitigation activities. In the event that IPC will undertake mitigation activities on land it does not own or hold an easement on, IPC will submit a written authorization from the owner of the land to ODOE before beginning any ground-disturbing activities.

#### 3.5.6 Additional Requirements for Estuarine Fill

OAR 141-085-0550(6): If the activity is proposed in an estuary for a non-water-dependent use, a complete application must also include a written statement that describes the following: (a) The public use of the proposed project; (b) The public need for the proposed project; and (c) The availability of alternative, non-estuarine sites for the proposed use.

OAR 141-085-0550(6) sets forth requirements for fill in estuary areas. Here, the Project will not impact any estuaries. Therefore, OAR 141-085-0550(6) does not apply to the Project.

#### 3.5.7 Additional Information as Requested

OAR 141-085-0550(7): The Department may request additional information as necessary to make an informed decision on whether or not to issue the authorization.

OAR 141-085-0550(7) provides DSL may request additional information related to an Removal-Fill Permit application. In this instance, the JPA includes all information requested to date by DSL. If DSL needs additional information, DSL will discuss the same with ODOE and include such request in ODOE's forthcoming Request for Additional Information No. 3.

#### 3.5.8 Waiver of Required Information

OAR 141-085-0550(8): At its discretion, the Department may waive any of the information requirements listed in section (5) of this rule for voluntary restoration projects.

OAR 141-085-0550(8) provides DSL may waive certain application submission requirements for voluntary restoration projects. Here, the Project is not a voluntary restoration project. Therefore, OAR 141-085-0550(8) does not apply to the Project.

#### 3.5.9 Permit Application Modifications

OAR 141-085-0550(9): A modification to a permit application may be submitted at any time prior to the permit decision. If the modification is received after the public review period, the Department may circulate the revised application again for public review. Modifications proposing significantly different or additional adverse impacts will generally be resubmitted for public review. The Department may set an expedited time frame for public review.

OAR 141-085-0550(9) allows for modifications to an Removal-Fill Permit. In this instance, IPC is applying for a new permit and not a permit modification. Therefore, OAR 141-085-0550(9) does not apply to the Project at this time.

#### 3.5.10 Pre-Application Conference

OAR 141-085-0550(10): An applicant may request the Department to hold a pre-application meeting. In considering whether to grant the request, the Department will consider the complexity of the project and the availability of Department staff.

Under OAR 141-085-0550(10), an Removal-Fill Permit applicant must request a pre-application meeting with DSL. IPC requested and participated in eight pre-application conferences with DSL, some of which included the USACE. These meetings were:

- April 22, 2011, at DSL, Salem;
- May 25, 2011, at DSL, Salem;
- July 26, 2011, at USACE, Portland; attended by DSL;

- October 27, 2011, at USACE, Portland; attended by DSL;
- May 31, 2012, at USACE, Portland; attended by DSL;
- December 11, 2013, USACE, Portland, attended by DSL;
- September 2, 2015, at DSL, Salem; and
- February 24, 2016, at McDowell Rackner and Gibson, PC, Portland, attended by DSL.

Topics of discussion at these meetings include wetland delineation methods, reporting and concurrence schedules, JPA requirements, mitigation requirements, and conceptual mitigation plans. IPC requested and participated in these meetings to foster sufficient communication between IPC, DSL, and USACE with the goal of ensuring that all requirements associated with wetlands and other waters will be met.

#### 3.5.11 Status of Joint Permit Application Completeness

#### 3.5.11.1 DSL Concurrence with Wetland Delineation Report

IPC submitted to DSL a wetland delineation report with 2011 delineation data and an addendum to the wetland delineation report with 2012 delineation data. A revised, comprehensive wetland delineation report was submitted in 2017 which included relevent wetland delineation data and maps from 2011, 2012, 2013, and 2016 wetland surveys. These revised maps were based on the current Project Site Boundary as detailed in Exhibit C of this application. IPC anticipates concurrence from DSL on the 2011, 2012, 2013, and 2016, wetland delineation data in 2018.

After issuance of the site certificate and prior to construction, IPC will submit additional wetland delineation data to DSL and ODOE identifying any additional waters of the state that will be subject to disturbance (which are currently not accessible by IPC), at which point IPC will obtain concurrence from DSL on the additional wetland delineation data. This will constitute DSL's final concurrence with the complete wetland delineation report (including all addenda) for the Project.

#### 3.5.11.2 Forthcoming Information to be Included in Joint Permit Application

The status of the completeness of the JPA contents are summarized in Table J-1.

Table J-1. JPA Required Information and Status of Submittal

JPA Required Information	Status
(a) The applicant and property owner information	Property owner information for each removal-fill site and all associated mitigation sites <b>is provided</b> in Exhibit F of the ASC.
(b) Project site location information including Township, Range, Quarter/Quarter Section and Tax Lot(s), latitude and longitude, street location if any, and location maps with site location indicated.	Information <b>is provided</b> for proposed impact sites.
<ul><li>(c) The location of any off-site disposal or borrow sites, if these sites contain waters of this state.</li><li>(d) Project information including:</li></ul>	Not applicable; off-site disposal or borrow sites will not contain waters of the state.
(A) Description of all removal-fill activities associated with the project;	Information <b>is provided</b> for all water resources that have been identified.

JPA Required Information	Status
(B) Demonstration of independent utility to	Information is provided in the purpose and
include all phases, projects or elements of	need statement in the JPA.
the proposed project which will require	
removal-fill activities;	
(C) Volumes of fill and removal within	Information will be provided in the Final JPA
jurisdictional areas expressed in cubic	for all water resources that have been
yards;	identified.
(D) Area of removal and fill within	Information is provided for all water resources
jurisdictional areas expressed in acres to	that have been identified.
the nearest 0.01-acre for impacts greater	
than 0.01 of an acre or expressed in acres	
to the nearest 0.001-acre for impacts less	
than 0.01 of an acre; and	
(E) Description of how the project will be	Information is provided including information
accomplished including construction	about BMPs and the Project's Erosion and
methods, site access and staging areas.	Sediment control plan.
(e) A description of the purpose and need	Information is provided.
for the project.	
(f) Project plan views and cross-sectional	Information is provided. Plan views are
views	provided for all wetlands and waters proposed
	for impact. Cross sections are provided for
	typical road and tower structure impacts.
(g) A written analysis of potential changes	Information is provided.
that the project may make to the hydrologic	
characteristics of the waters of this state,	
(h) A description of the existing biological	Information is provided for all water resources
and physical characteristics of the water	that have been delineated and are proposed for
resources,	impact. Information for water resources that
	have not yet been delineated will be provided
(i) A description of the policetion fiching	when field delineations are complete.
(i) A description of the navigation, fishing	This requirement applies only to impacted water resources on state-owned land. No
and public recreation uses,	
	impacts to wetlands or other waters are
	planned on state-owned land within the Site
(j) a wetland delineation report	Boundary.  IPC has already submitted a wetland
	delineation report with 2011 delineation data
	and addenda with 2012 data. One
	comprehensive wetland delineation report that
	includes relevant data from 2011, 2012, and
	2013 wetland surveys and new data collected
	in 2016 was submitted to DSL in 2017. Revised
	2011, 2012, 2013, and new 2016 wetland
	delineation maps based on the current Project
	Site Boundary was submitted as one
	comprehensive set of maps in 2017.
(k) A functions and values assessment	Information <b>is provided</b> . Results of the
	assessments are included in the JPA.

JPA Required Information	Status
(I) Information concerning the presence of any state listed species.	The best available information is provided.
(m) Information concerning historical, cultural and archeological resources.	An appropriate level of information <b>is provided.</b>
(n) An analysis of alternatives to derive the practicable alternative that has the least reasonably expected adverse impacts on waters of this state.	Information is provided.
(o) A complete compensatory mitigation plan	A final wetland and non-wetland mitigation plan will be submitted to ODOE and DSL.
(p) For each proposed removal-fill impact site and physical mitigation site, a list of the names and addresses of the adjacent property owners	Property owner information for each removal-fill site and all associated mitigation sites <b>is provided</b> in Exhibit F of the ASC.
(q) Mailing labels, when there are more than five names and addresses of adjacent property owners.	Mailing labels will be provided when requested by ODOE.
(r) A signed local government land use affidavit.	Not applicable. EFSC supersedes the local land use affidavit.
(s) A signed Coastal Zone Certification statement, if the project is in the coastal zone.	Not applicable.

#### 3.5.11.3 Path Forward to Complete Requirements for a Removal-Fill Permit

With respect to the surveyed parcels, the JPA includes all the information required to obtain a removal-fill permit for work on those parcels. Thus, IPC requests that the Council find that IPC has complied with the law governing Removal-Fill permits for those parcels and that a Removal-Fill permit covering those parcels should be included in and governed by the site certificate.

Regarding the unsurveyed parcels, IPC has not had right-of-entry on all parcels where Project removal-fill activities will take place. Nonetheless, the JPA identifies the potential WOS impacts (based on NHD and NWI data and aerial photography) sufficient for this Exhibit to be considered complete for EFSC purposes. After IPC gains right-of-entry to those parcels and prior to construction, IPC will complete the WOS surveys and finalize the JPA to include the survey information for the unsurveyed parcels. IPC will then submit a final JPA covering all relevant Project parcels, including those previously unsurveyed parcels, to ODOE, and ODOE may approve a final Removal-Fill Permit covering all relevant parcels.

IPC proposes that the Council include the following conditions in the site certificate, providing for the path forward set forth above:

Waters of this State Condition 1: Prior to construction on the parcels that had been surveyed at the time of the ASC, the certificate holder shall obtain from the Oregon Department of Lands a Removal-Fill Permit based on the Joint Permit Application in ASC Exhibit J, Attachment J-3.

Waters of this State Condition 2: Prior to construction on the parcels that had not been surveyed at the time of the ASC, the certificate holder shall finalize, and submit to the department for its approval, a final Joint Permit Application.

Waters of this State Condition 3: Prior to construction on the parcels that had not been surveyed at the time of the ASC, the certificate holder shall obtain from the Oregon Department of Lands a Removal-Fill Permit based on the final Joint Permit Application referenced in Waters of this State Condition 2.

Waters of this State Condition 4: During construction, the certificate holder shall conduct all work in compliance with a Removal-Fill Permit.

Table J-2 summarizes IPC's proposed approach to finalizing the JPA following final design and surveys of previously unsurveyed parcels.

Table J-2. Path Forward to Fulfill Requirements for and Conditions to Removal-Fill Permit

Description of Tasks	COMPLIANCE STRATEGY for Surveyed Parcels	COMPLIANCE STRATEGY for Unsurveyed Parcels	
OAR 345-021-0010(1)(j)(A): A description of all areas within the Project Site Boundary that			
	nd a map showing the location o		
Wetland Field Delineations	IPC completed wetland field delineations on surveyed parcels in 2011, 2012, 2013, and 2016.	After issuance of the site certificate and prior to construction, IPC will complete wetland field delineations on unsurveyed parcels.	
Wetland Delineation Report	IPC has submitted to DSL a wetland delineation report and addenda for fieldwork conducted in 2011 and 2012. The comprehensive wetland delineation report for 2011, 2012, 2013, and 2016 was submitted in 2017, covering all surveyed parcels.	After issuance of the site certificate and prior to construction, IPC will submit additional wetland delineation data to DSL and ODOE identifying all WOS on unsurveyed parcels that will be subject to impact.	
DSL Concurrence	IPC anticipates it will receive, prior to issuance of the site certificate, concurrence from DSL on 2011, 2012, 2013, and 2016 wetland delineation data covering surveyed parcels.	After issuance of the site certificate and prior to construction, IPC will obtain concurrence from DSL on the wetland delineation data for the unsurveyed parcels. This will constitute DSL's final concurrence related to wetlands delineations for the Project.	
OAR 345-021-0010(1)(j)(B): An analysis of whether construction or operation of the proposed facility would adversely affect any waters of this state.			
Analysis of Potential Impacts	Analysis of potential wetland impacts on surveyed parcels is set forth in the JPA, Attachment J-3, Table O-1A and Table O-2A, and Appendix R.	For unsurveyed parcels, IPC estimated potential wetland impacts based on:  NHD and NWI data; and Aerial photo interpretation. The analysis of potential wetland impacts on	

Description of Tasks	COMPLIANCE STRATEGY for Surveyed Parcels	COMPLIANCE STRATEGY for Unsurveyed Parcels	
	,	unsurveyed parcels is set forth in the JPA, Attachment J-3, Table O-1B and Table O-2B, and Appendix R.	
		After issuance of the site certificate and prior to construction, IPC will submit to DSL and ODOE additional analysis of potential impacts on unsurveyed parcels based on the forthcoming surveys of those parcels.	
	A description of the significance of including the nature and amount on the waters analyzed in (B).		
Removal-Fill Quantities	After final design is complete, IPC will calculate the quantity of removal-fill material to be removed from or placed in each WOS. These quantities will be included in the final JPA, which IPC will submit to DSL and ODOE after issuance of the site certificate and prior to construction.	After final design is complete, IPC will calculate the quantity of removal-fill material to be removed from or placed in each WOS. These quantities will be included in the final JPA, which IPC will submit to DSL and ODOE after issuance of the site certificate and prior to construction.	
authorization, an explanation	OAR 345-021-0010(1)(j)(D): If the proposed facility would not need a removal-fill authorization, an explanation of why no such authorization is required for the construction and operation of the proposed facility.		
Not applicable: IPC has determined that a removal-fill authorization will be needed.	N/A	N/A	
OAR 345-021-0010(1)(j)(E): If the proposed facility would need a removal-fill authorization, information to support a determination by the Council that the Oregon Department of State Lands should issue a removal-fill permit, including information in the form required by the Department of State Lands under OAR Chapter 141 Division 85.			
Joint Permit Application	For surveyed parcels, the information required by DSL under OAR Chapter 141, Division 85, is set forth in the JPA, Attachment J-3.	For unsurveyed parcels, the information required by DSL under OAR Chapter 141, Division 85, is set forth in the JPA, Attachment J-3. Additional information will be included in the final JPA, which IPC will submit to DSL and ODOE after issuance of	

Description of Tasks	COMPLIANCE STRATEGY for Surveyed Parcels	COMPLIANCE STRATEGY for Unsurveyed Parcels
		the site certificate and prior to construction.
OAR 345-021-0010(1)(j)(F): A description of proposed actions to mitigate adverse impacts to the features identified in (A) and the applicant's proposed monitoring program, if any, for such impacts.		
Wetland Mitigation Plan	IPC submits a compensatory wetland mitigation plan (CWNWMP) as Appendix T of the JPA, Attachment J-3. After issuance of the site certificate and prior to construction, IPC will finalize, and submit to ODOE for its approval, a final CWNWMP. IPC may include in the final CWNWMP changes to the mitigation actions based on the Project's final design.	The CWNWMP includes sufficient mitigation to cover reasonably foreseeable impacts to both surveyed and unsurveyed parcels. After issuance of the site certificate and prior to construction, IPC will finalize, and submit to ODOE for its approval, a final CWNWMP. IPC may include in the final CWNWMP changes to the mitigation actions based on the Project's final design.

## 3.6 Determinations and Considerations in Evaluating Individual Removal-Fill Permit Applications

## 3.6.1 Department Determinations

## 3.6.1.1 Independent Utility

OAR 141-085-0565(3): The Department will issue a permit if it determines the project described in the application: (a) Has independent utility;

The independent utility of the Project is addressed, as required under OAR 141-085-0565(3)(A), in JPA Section 3.

#### 3.6.1.2 Protection, Conservation, and Best Use

OAR 141-085-0565(3)(b): Is consistent with the protection, conservation and best use of the water resources of this state as specified in ORS 196.600 to 196.905; and

OAR 141-085-0565(3)(B) requires proposed removal-fill activities protect, conserve, and provide for the best use of WOS. Here, the Project will protect, conserve, and provide for the best use of WOS by avoiding, minimizing, and mitigating impacts to WOS, as discussed above in Section 3.4.2.1 and Section 3.4.6.

#### 3.6.1.3 No Unreasonable Interference with Preservation of the Use of the Waters

OAR 141-085-0565(3)(c): Would not unreasonably interfere with the paramount policy of this state to preserve the use of its waters for navigation, fishing and public recreation, when the project is on state-owned lands

OAR 141-085-0565(3)(c) prohibits unreasonable interference with navigation, fishing, and public recreation uses on state-owned land. Here, the Project will not involve any removal-fill activities on state-owned land inside the Site Boundary (see JPA Section 4.b). Therefore, the Project is consistent with OAR 141-085-0565(3)(c).

Regardless, with respect to removal-fill activities on non-state lands, the Project will not result in any loss of navigability on any WOS because the Project will span all streams, rivers, or lakes currently used for navigation.

At this time, the Project does not propose removal or fill inside the bankfull channel on any fish-bearing streams. General requirements listed under OAR 635-412-0035(1) Fish Passage Criteria would still be applicable. All crossings of fish-bearing streams have been designed to meet Oregon's Fish Passage requirements so they will not restrict the movements of native migratory fish. Further, the Project will neither impede nor reduce the public's opportunity to fish or otherwise recreate on any WOS.

Finally, wetland and non-wetland mitigation proposed for the Project may produce incremental improvement to public opportunities for fishing by improving in-stream and riparian habitat conditions. Both the wetland and non-wetland components of the proposed mitigation will result in increased access to in-stream and off-channel habitat by salmon and steelhead in the Grande Ronde River.

#### 3.6.2 Determination Considerations

#### 3.6.2.1 Public Need and Benefits

OAR 141-085-0565(4): In determining whether to issue a permit, the Department will consider all of the following: (a) The public need for the proposed fill or removal and the social, economic or other public benefits likely to result from the proposed fill or removal. When the applicant for a permit is a public body, the Department may accept and rely upon the public body's findings as to local public need and local public benefit;

Under OAR 141-085-0565(4)(a), DSL considers the public need for, and public benefits of, proposed removal-fill activities. Here, the Project purpose and need is discussed in the JPA, Appendix F, as well as in Exhibits B and N. IPC has identified the Project as a critical component of an overall resource portfolio that best balances cost, risk, and environmental concerns. Both the Idaho and Oregon public utility commissions have approved Integrated Resource Plans with resource portfolios that identify the Project as a key resource, evidencing the need for the Project. The Project will provide important public benefits by providing cost-effective electric service, improving inter-regional access to power markets, maintaining electric service reliability standards, and providing transmission service to wholesale customers.

As described above in Section 3.4.2.1, IPC has made every effort to avoid or minimize removal-fill impacts in WOS. And the remaining unavoidable impacts are essential to construction of the Project. Therefore, public need for, and benefits of, the proposed removal-fill activities should be viewed in terms of the Project as a whole.

#### 3.6.2.2 Economic Cost to the Public If No Fill or Removal

OAR 141-085-0565(4)(b): The economic cost to the public if the proposed fill or removal is not accomplished;

OAR 141-085-0565(4)(b) provides DSL will consider the public economic costs of proposed removal-fill activities. Again, here, each removal-fill activity proposed in the JPA is essential to IPC's completion of the Project, and accordingly, the cost to the public if the proposed removal-fill is not accomplished should be considered at the Project scale.

While it is difficult to quantify the exact economic cost to the public if the Project is not built, it can fairly be concluded that failure to accomplish the Project would result in higher power costs to electric utility customers in the Pacific Northwest. As explained in Exhibit N, if the Project is not completed, IPC will be required either to develop additional generation resources or make higher cost market purchases to serve existing and forecasted native load. For this reason, the Project was selected as an essential component of IPC's Preferred Portfolio in its most recent Integrated Resource Plans. Moreover, IPC has selected the Project as the lowest-cost resource that will enable IPC to meet both North American Electric Reliability Corporation and Western Electricity Coordinating Council reliability requirements and provide transmission service to wholesale customers in accordance with IPC's Open Access Transmission Tariff. Thus, failure to accomplish the Project would require IPC to turn to a higher cost resource to meet its forecasted load and regulatory obligations. While it is difficult to quantify with precision, this outcome would result in negative economic consequences for ratepayers and the public.

## 3.6.2.3 Alternatives to the Project

OAR 141-085-0565(4)(c): The availability of alternatives to the project for which the fill or removal is proposed;

OAR 141-085-0565(4)(c) requires DSL consider alternatives to proposed removal-fill activities. In the 2006 IRP process, Idaho Power identified the need for a transmission line to the Pacific Northwest electric market. The transmission line identified in 2006 has evolved into what is currently the Project. The Project has been selected as part of the preferred resource portfolio in IPC's 2009, 2011, 2013, and 2015 IRPs over numerous alternative portfolios. Additional detail discussing the evaluation of alternative portfolios is provided in Exhibit N, Section 3.3.8.

#### 3.6.2.4 Alternative Sites

OAR 141-085-0565(4)(d): The availability of alternative sites for the proposed fill or removal;

Under OAR 141-085-0565(4)(d), DSL considers the availability of alternative sites for proposed removal-fill activities. Table I-1 in Appendix I of the JPA includes information about alternative sites for proposed removal or fill at some impact sites. Entries in the column "Action taken to avoid or reduce impact" describe sites that were identified to allow engineers to relocate project facilities to avoid or reduce impacts. Entries in the column "Explanation if unable to avoid" describes why avoidance and/or minimization is not possible at some impact sites.

## 3.6.2.5 Conformance with Conservation Policies and Public Health and Safety

OAR 141-085-0565(4)(e): Whether the proposed fill or removal conforms to sound policies of conservation and would not interfere with public health and safety;

OAR 141-085-0565(4)(e) requires DSL consider sound policies of conservation and public health and safety. Here, the proposed fill or removal conforms to sound policies of conservation because of the following actions by IPC:

- Analysis through the desktop study of the potential presence of wetlands and other waters early in the Project planning;
- Thorough field work to identify all areas that may be wetlands or other waters, by use of the Terrestrial Visual Encounter Survey to identify probable wetlands and other waters, followed by wetland delineation of the entire Site Boundary for which IPC has access;
- Avoidance and minimization planning during Project design, to avoid wetlands and other waters when practicable, and minimize unavoidable Removal-Fill impacts;
- Proposals by IPC to provide wetland and non-wetland mitigation to replace impacted functionality of wetlands and other waters; and
- Implementation of best management practices described in the Project's Erosion and Sediment Control Plan (Exhibit I, Attachment I-3) to avoid and minimize incidental impacts to resources adjacent to Removal-Fill sites.

In the aggregate, these actions by IPC meet the requirements of OAR 141-085-0565(4)(e).

## 3.6.2.6 Conformance with Existing Public Uses and Adjacent Land Use Planning

OAR 141-085-0565(4)(f): Whether the proposed fill or removal is in conformance with existing public uses of the waters and with uses designated for adjacent land in an acknowledged comprehensive plan and land use regulations;

DSL must consider, under OAR 141-085-0565(4)(f), public uses and uses designated for adjacent land in acknowledged comprehensive plans and land use regulations. In this instance, public uses of waters proposed for fill or removal include such activities as withdrawals of surface water, agricultural use, fishing, and boating. No existing public use of affected WOS will be eliminated or degraded, and no WOS will be converted to farmland. Project construction will have, at most, only temporary impacts on such public uses. Hence, the Project conforms to existing public uses of such waters.

In Exhibit K, IPC demonstrates compliance with the local substantive criteria identified by the relevant counties, including relevant provisions of county comprehensive plans and zoning ordinances. To the extent IPC may not comply with all provisions of a local comprehensive plan or zoning ordinance, IPC will either demonstrate that it nonetheless complies with statewide planning goals or request a goal exception.

## 3.6.2.7 Conformance with Land Use Plans and Regulations

OAR 141-085-0565(4)(g): Whether the proposed fill or removal is compatible with the acknowledged comprehensive plan and land use regulations for the area where the proposed fill or removal is to take place or can be conditioned on a future local approval to meet this criterion:

OAR 141-085-0565(4)(g) provides DSL must consider local land use plans and regulations relevant to the removal-fill sites. As described above, IPC demonstrates compliance with the local comprehensive plans and zoning codes in Exhibit K. To the extent that IPC may not comply with all provisions of a local comprehensive plan, IPC demonstrates that it nonetheless complies with statewide planning goals or request a goal exception.

#### 3.6.2.8 Streambank Protection

OAR 141-085-0565(4)(h): Whether the proposed fill or removal is for streambank protection; and

OAR 141-085-0565(4)(h) requires consideration of whether a proposed removal-fill activity is intended for streambank protection. Here, IPC does not propose removal-fill for streambank protection.

## 3.6.2.9 Practicable Mitigation

OAR 141-085-0565(4)(i): Whether the applicant has provided all practicable mitigation to reduce the adverse effects of the proposed fill or removal in the manner set forth in ORS 196.800.

DSL considers, under OAR 141-085-0565(4)(i), whether the proposed removal-fill activity will include all practicable mitigation. Regarding the Project, IPC will provide wetland mitigation sufficient to replace the wetland functions and values affected by unavoidable Removal-Fill impacts, and the minimum wetland mitigation acreage requirements in OAR 141-085-0690(4)(c). A draft of the CWNWMP plan is attached as Appendix T of the JPA.

#### 4.0 IPC'S PROPOSED SITE CERTIFICATE CONDITIONS

IPC proposes the following site certificate conditions to ensure compliance with the relevant EFSC standards.

Waters of this State Condition 1: Prior to construction on the parcels that had been surveyed at the time of the ASC, the certificate holder shall obtain from the Oregon Department of Lands a Removal-Fill Permit based on the Joint Permit Application in ASC Exhibit J, Attachment J-3.

Waters of this State Condition 2: Prior to construction on the parcels that had not been surveyed at the time of the ASC, the certificate holder shall finalize, and submit to the department for its approval, a final Joint Permit Application.

Waters of this State Condition 3: Prior to construction on the parcels that had not been surveyed at the time of the ASC, the certificate holder shall obtain from the Oregon Department of Lands a Removal-Fill Permit based on the final Joint Permit Application referenced in Waters of this State Condition 2.

Waters of this State Condition 4: During construction, the certificate holder shall conduct all work in compliance with a Removal-Fill Permit.

## 5.0 CONCLUSIONS

Exhibit J, including its attachments, provides all of the application submittal information required under OAR 345-021-0010(1)(j). For the parcels that have been surveyed, this Exhibit shows the Project is in compliance with the law governing Removal-Fill permits, and therefore, a Removal-Fill permit for those parcels should be included in and governed by the site certificate. For the parcels that have not yet been surveyed, IPC's proposed site certificate conditions allowing ODOE to approve a Removal-Fill permit for those parcels after IPC submits a final JPA with the necessary survey information.

## 6.0 COMPLIANCE CROSS-REFERENCES

Table J-3 identifies the location within the application for site certificate of the information responsive to the site certificate application submittal requirements in OAR 345-021-0010(1)(j), the Removal-Fill Permit application requirements at OAR 345-022-0010, the DSL Removal-Fill permit application determinations and considerations at OAR 141-085-0565(3) and (4), and the relevant Second Amended Project Order provisions.

**Table J-3. Compliance Requirements and Relevant Cross-References** 

Requirement	Location
OAR 345-021-0010(1)(j)	
Exhibit J. Information based on literature and field study, as appropriate, about waters of the state, including:	
(A) A description of all areas within the site boundary that might be waters of the state and a map showing the location of these features.	Exhibit J, Section 3.4.1, Attachment J-1, and Attachment J-2
(B) An analysis of whether construction or operation of the proposed facility would adversely affect any waters of the state, as defined under OAR 141-085-0510.	Exhibit J, Section 3.4.2
(C) A description of the significance of potential adverse impacts to each feature identified in (A), including the nature and amount of material the applicant would remove from or place in the waters analyzed in (B).	Exhibit J, Section 3.4.3; Further information to be prepared after impact analysis and wetland assessment are complete.
(D) If the proposed facility would not need a removal-fill authorization as described under OAR 141-085-0520, an explanation of why no such authorization is required for the construction and operation of the proposed facility.	Exhibit J, Section 3.4.4; Not applicable, as IPC anticipates that a removal-fill authorization will be required

Requirement	Location
(E) If the proposed facility would need a removal-fill authorization,	Exhibit J, Section 3.4.5
information to support a determination by the Council that the	and Attachment J-3
Oregon Department of State Lands should issue a removal-fill	
permit, including information in the form required by the Department	
of State Lands under OAR chapter 141 division 85.	
OAR 141-085-0550	
(1) Written Application Required. A person who is required to have	Exhibit J, Section 3.5.1
an individual permit to remove material from the bed or banks, or fill	
any waters of this state, must file a written application with the	
Department for each individual project. A permit must be issued by	
the Department before performing any regulated removal-fill activity.	
(2) Complete and Accurate Information Required. Failure to provide	Exhibit J, Section 3.5.2
complete and accurate information in the application may be	
grounds for administrative closure of the application file or denial,	ļ
suspension or revocation of the authorization.	
(3) Fee Required for a Complete Application. For an application to	Exhibit J, Section 3.5.3
be determined complete, the Department must have received the	
appropriate fee.	
(4) Level of Detail Required May Vary. The applicant is responsible	Exhibit J, Section 3.5.4
for providing sufficient detail in the application to enable the	
Department to render the necessary determinations and decisions.	
The level of documentation may vary depending on the degree of	
adverse impacts, the level of public interest and other factors that	
increase the complexity of the project.	
(5) Required Information: A completed and signed application on	Exhibit J, Section 3.5.5
current forms provided by the Department, including any maps,	
necessary photos and drawings, is required. The information must	
be entered in the appropriate blocks on the application form. The	
Department may require the applicant to submit any or all	
application materials electronically. The application must include all	
of the following:	
(6) Additional Requirements for Estuarine Fill. If the activity is	Exhibit J, Section 3.5.6
proposed in an estuary for a non-water-dependent use, a complete	
application must also include a written statement that describes the	
following: (a) The public use of the proposed project; (b) The public	
need for the proposed project; and (c) The availability of alternative,	
non-estuarine sites for the proposed use.	Fubibit I Continue 0.5.7
(7) Additional Information as Requested. The Department may	Exhibit J, Section 3.5.7
request additional information as necessary to make an informed	
decision on whether or not to issue the authorization.	Fubibit I Continue 0.5.0
(8) Waiver of Required Information. At its discretion, the Department	Exhibit J, Section 3.5.8
may waive any of the information requirements listed in Section (5)	
of this rule for voluntary restoration projects.	

Requirement	Location
(9) Permit Application Modifications. A modification to a permit	Exhibit J, Section 3.5.9
application may be submitted at any time prior to the permit	,
decision. If the modification is received after the public review	
period, the Department may circulate the revised application again	
for public review. Modifications proposing significantly different or	
additional adverse impacts will generally be resubmitted for public	
review. The Department may set an expedited time frame for public	
review.	
(10) Pre-Application Conference. An applicant may request the	Exhibit J,
Department to hold a pre-application meeting. In considering	Section 3.5.10
whether to grant the request, the Department will consider the	
complexity of the project and the availability of Department staff.	
OAR 141-085-0565	
(3) Department Determinations. The Department will issue a permit	Exhibit J, Section 3.6.1
if it determines the project described in the application: (a) Has	
independent utility; (b) Is consistent with the protection,	
conservation and best use of the water resources of this state as	
specified in ORS 196.600 to 196.990; and (c) Would not	
unreasonably interfere with the paramount policy of this state to	
preserve the use of its waters for navigation, fishing and public	
recreation, when the project is on state-owned lands.	
(4) Department Considerations. In determining whether to issue a	Exhibit J, Section 3.6.2
permit, the Department will consider all of the following: (a) The	
public need for the proposed fill or removal and the social,	
economic or other public benefits likely to result from the proposed	
fill or removal. When the applicant for a permit is a public body, the	
Department may accept and rely upon the public body's findings as	
to local public need and local public benefit; (b) The economic cost to the public if the proposed fill or removal is not accomplished; (c)	
The availability of alternatives to the project for which the fill or	
removal is proposed; (d) The availability of alternative sites for the	
proposed fill or removal; (e) Whether the proposed fill or removal	
conforms to sound policies of conservation and would not interfere	
with public health and safety; (f) Whether the proposed fill or	
removal is in conformance with existing public uses of the waters	
and with uses designated for adjacent land in an acknowledged	
comprehensive plan and land use regulations; (g) Whether the	
proposed fill or removal is compatible with the acknowledged	
comprehensive plan and land use regulations for the area where	
the proposed fill or removal is to take place or can be conditioned	
on a future local approval to meet this criterion; (h) Whether the	
proposed fill or removal is for stream bank protection; and (i)	
Whether the applicant has provided all practicable mitigation to	
reduce the adverse effects of the proposed fill or removal in the	
manner set forth in ORS 196.800.	

Requirement	Location
Second Amended Project Order Provisions	
The application shall include identification of wetlands and waters of the state for all areas within the site boundary, including access roads and temporary laydown areas. The applicant has proposed a "phased survey" approach for data collection during the site certificate review process. The Department understands that the entirety of the site boundary for the proposed facility may not yet have been surveyed for wetlands and waters due to limited site access. On April 24, 2018 the Department issued a memo titled; "Energy Facility Siting Council Decisions for Linear Facilities with Restricted Access within a Site Boundary: Boardman to Hemingway Transmission Line". This memo outlines how the Department will review applications and make recommendations to Council for wetlands and waters of the state that have been evaluated in the pASC and ASC. Once IPC gains access to previously restricted areas, IPC shall include that information via a site certificate amendment process. Exhibit J shall include as much information as possible about the results of the field surveys conducted to date and the schedule for future surveys.	Exhibit J, Section 3.3.1, Attachment J-1, and Attachment J-2
The applicant shall include in Exhibit J as much of the information required by OAR 345-021-0010(1)(j) as possible, and the proposed path forward to obtain the information necessary for the Council to find that the requirements for a removal-fill permit have been met. Information would include an itemized demonstration of each applicable provision of ORS 196.825 (Criteria for Issuance of a Permit) and OAR 141-085-0550 (Application Requirements for All Authorizations). DSL requires a compensatory wetland, compensatory non-wetland, and temporary impacts mitigation plan be submitted with a removal-fill application.	Exhibit J, Section 4.1 and Section 4.2

#### 7.0 REFERENCES

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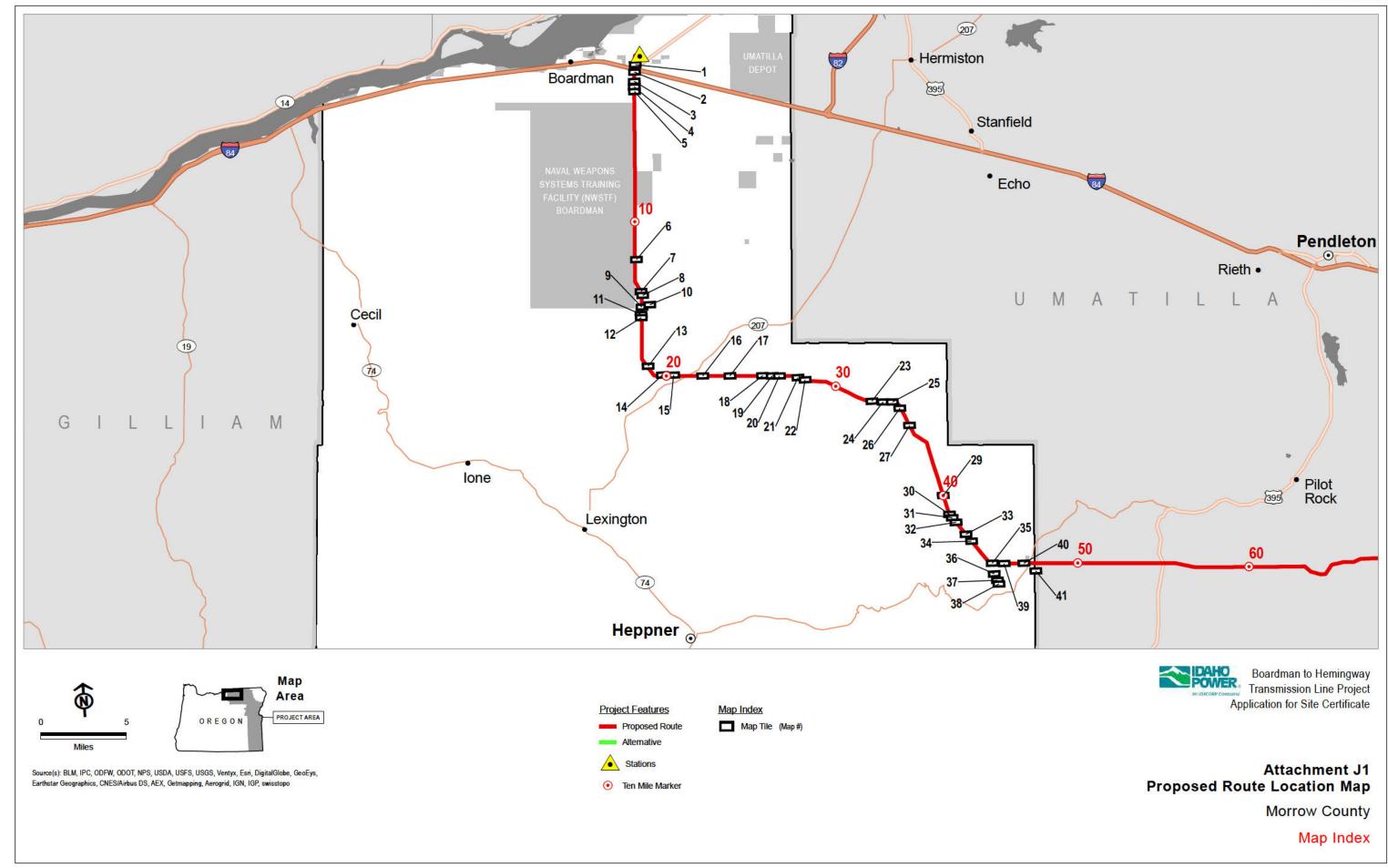
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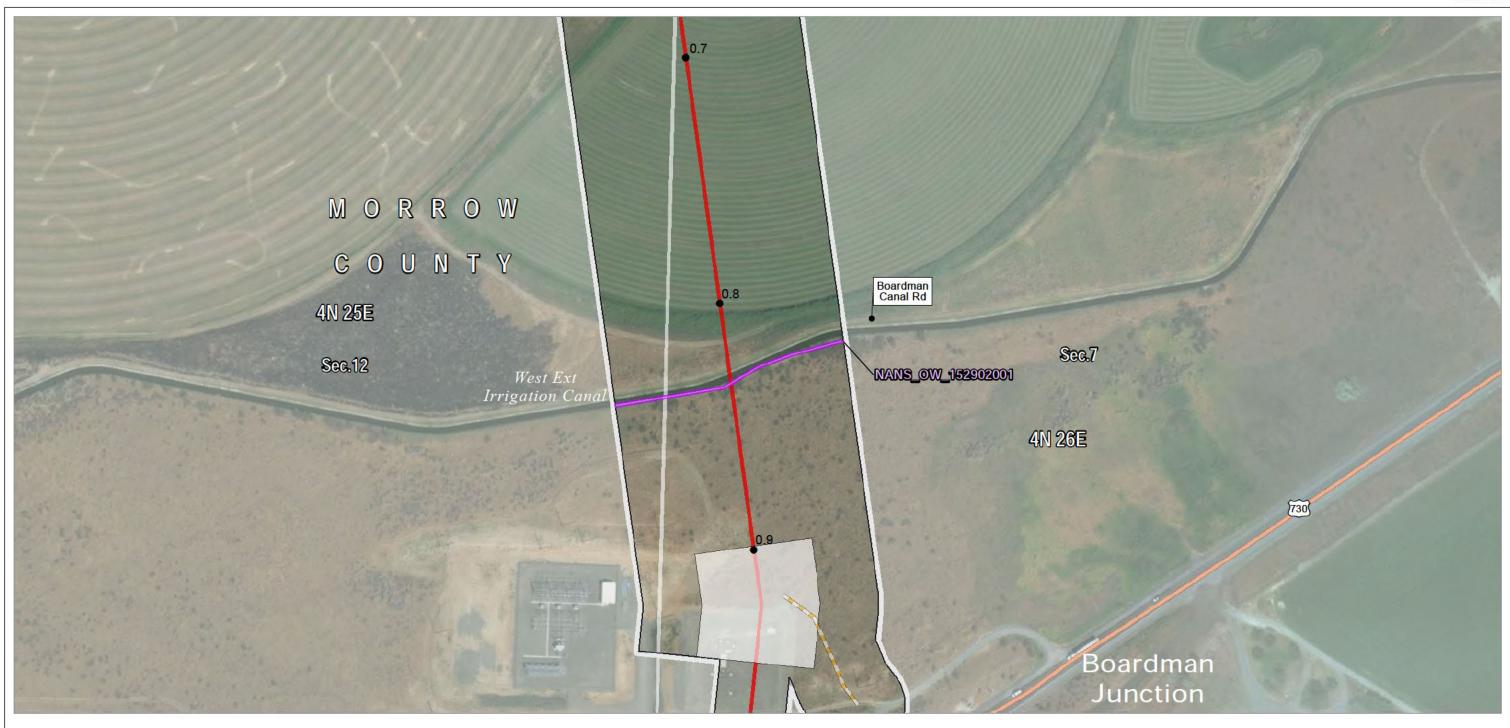
# ATTACHMENT J-1 FIGURES

Idaho Power/203
Barretto/50
Exhibit J

Boardman to Hemingway Transmission Line Project	

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Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features
Site Boundary

Proposed Route

Alternative Route

Route Centerline

Proposed Route
Work Areas

Structure Work Area

Mileposts

Tenth-mile

Construction Access

New Road, Primitive

Transportation

Interstates or Highways

Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-1

Wetland and Other Waters Detail Maps





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

**Project Features** Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts Tenth-mile

Construction Access New Road, Primitive

Transportation Interstates or Highways

Other Major Roads

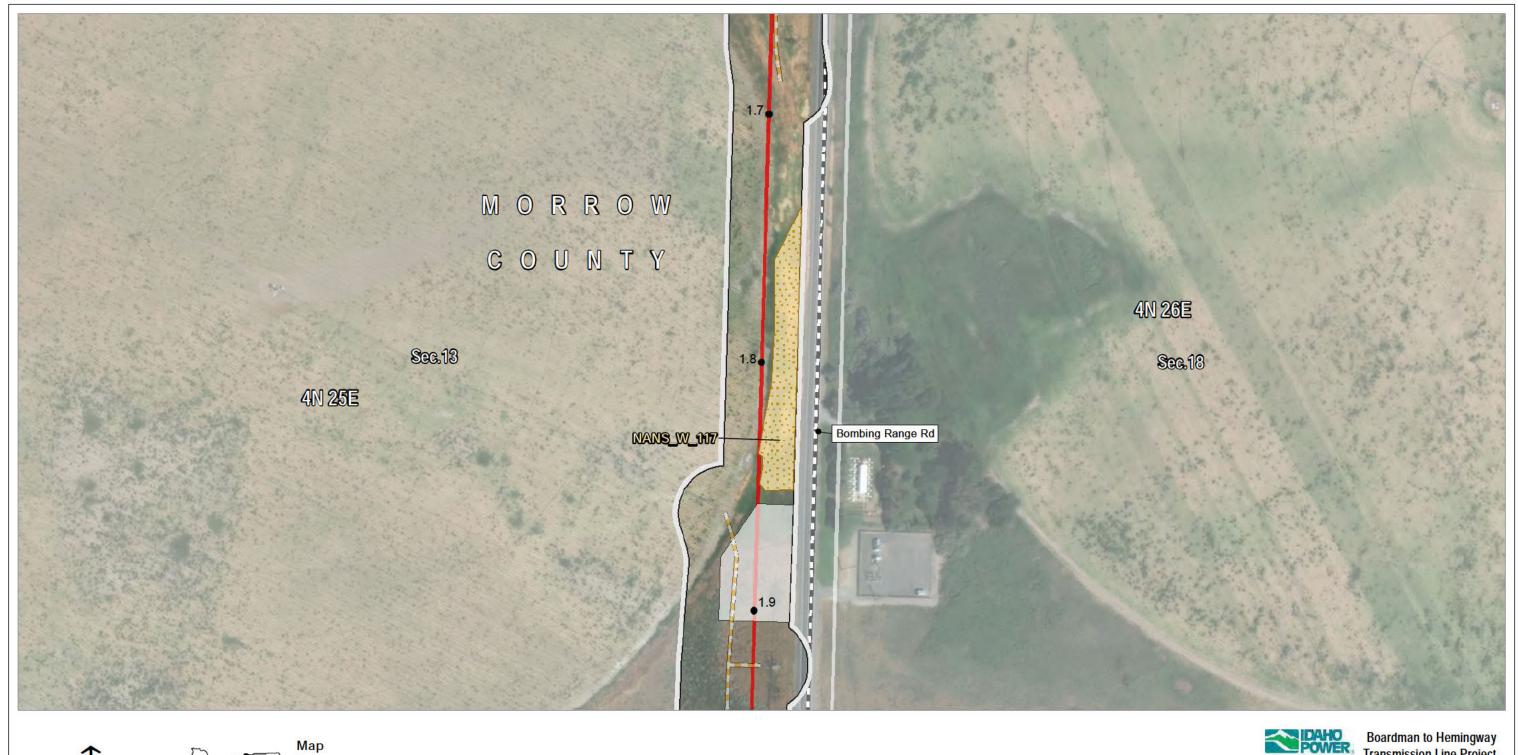
Wetland

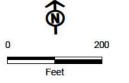
Field Survey Wetland

Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-2

Wetland and Other Waters Detail Maps







Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features Site Boundary

Proposed Route

Alternative Route

Route Centerline

Proposed Route

Work Areas Structure Work Area Mileposts

Tenth-mile

Construction Access

New Road, Primitive

Transportation

Other Major Roads

Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-3

Wetland and Other Waters Detail Maps





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features
Site Boundary

Mileposts

Mile
Mile

Tenth-mile

Construction Access

Route Centerline

Proposed Route

Transportation

Work Areas

Structure Work Area

Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-4
Wetland and Other Waters
Detail Maps





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features
Site Boundary

Proposed Route

Alternative Route

Route Centerline

Proposed Route

Work Areas

Structure Work Area

Mileposts

Tenth-mile

Construction Access

New Road, Primitive

Transportation

Other Major Roads

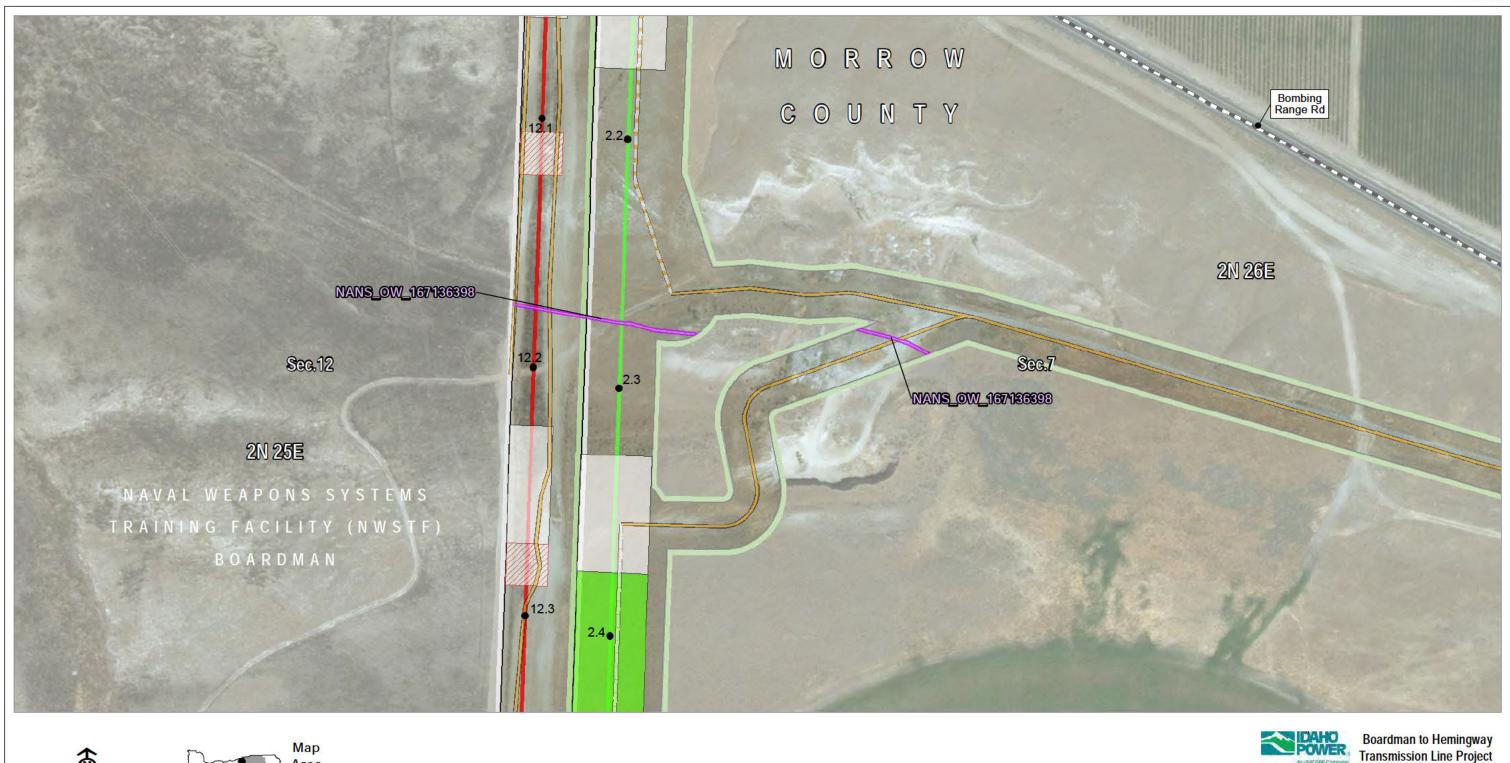
Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-5

Wetland and Other Waters Detail Maps





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo



Alternative

Pulling and Tensioning Structure Work Area

Structure Work Area (Removal Only) Mileposts Tenth-mile

Existing Road, Substantial
Modification, 21-70% Improvements New Road, Primitive **Transportation** Other Major Roads

Construction Access

Other Waters NANS Streams (NHD) Boardman to Herningway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-6

Wetland and Other Waters **Detail Maps** 





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area Mileposts

Mile

Tenth-mile

Construction Access

New Road, Primitive

Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-7

Wetland and Other Waters Detail Maps

Detail Maps

Morrow County



Improvements

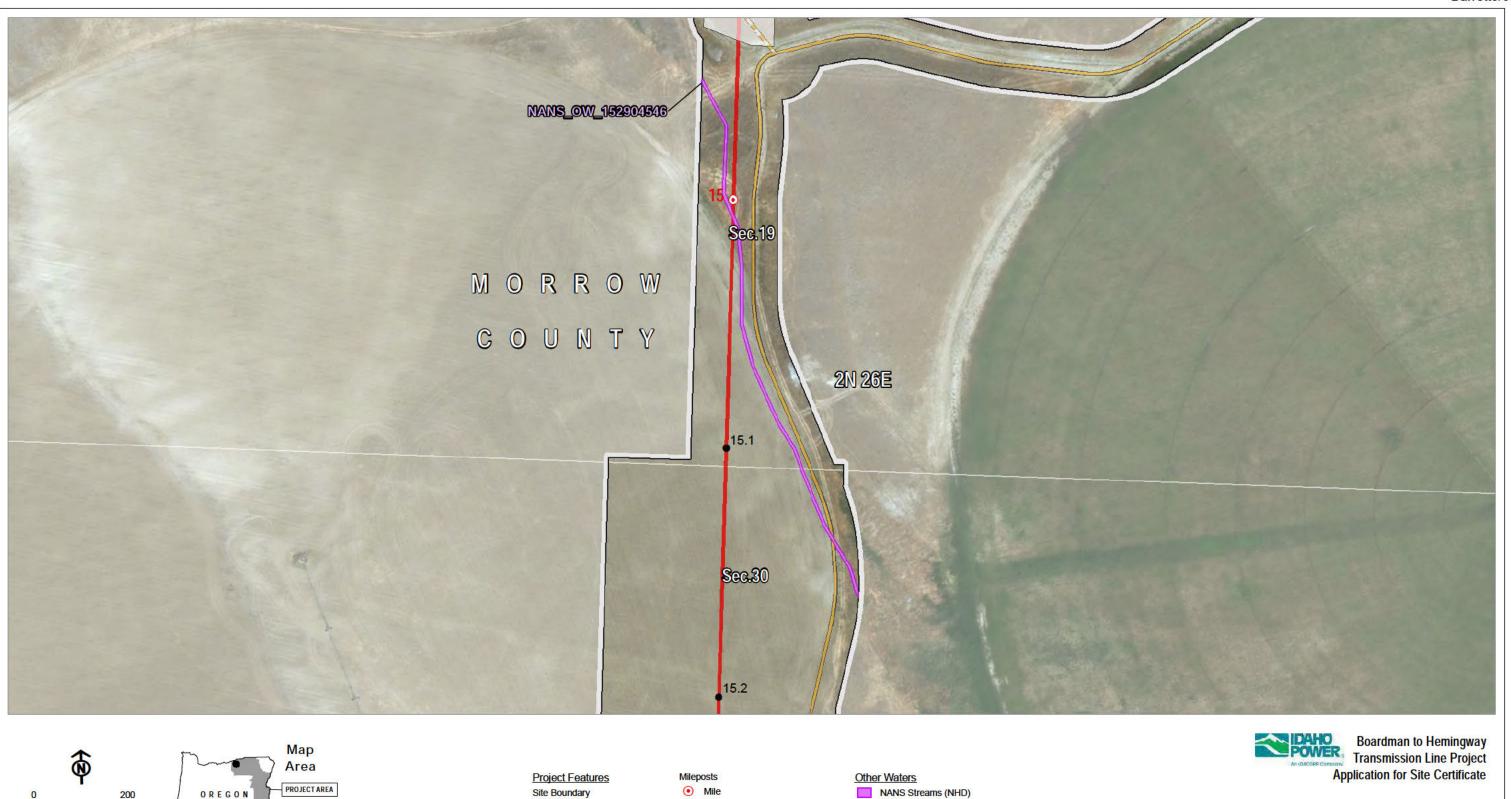
New Road, Primitive

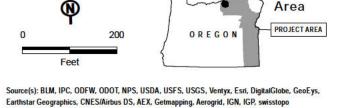
Proposed Route

Pulling and Tensioning

Work Areas

Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo





Proposed Route Alternative Route Route Centerline Proposed Route Work Areas

Structure Work Area

Tenth-mile Construction Access Existing Road, Substantial Modification, 21-70% Improvements New Road, Primitive

NANS Streams (NHD)

Attachment J1-9

Wetland and Other Waters Detail Maps Morrow County





Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

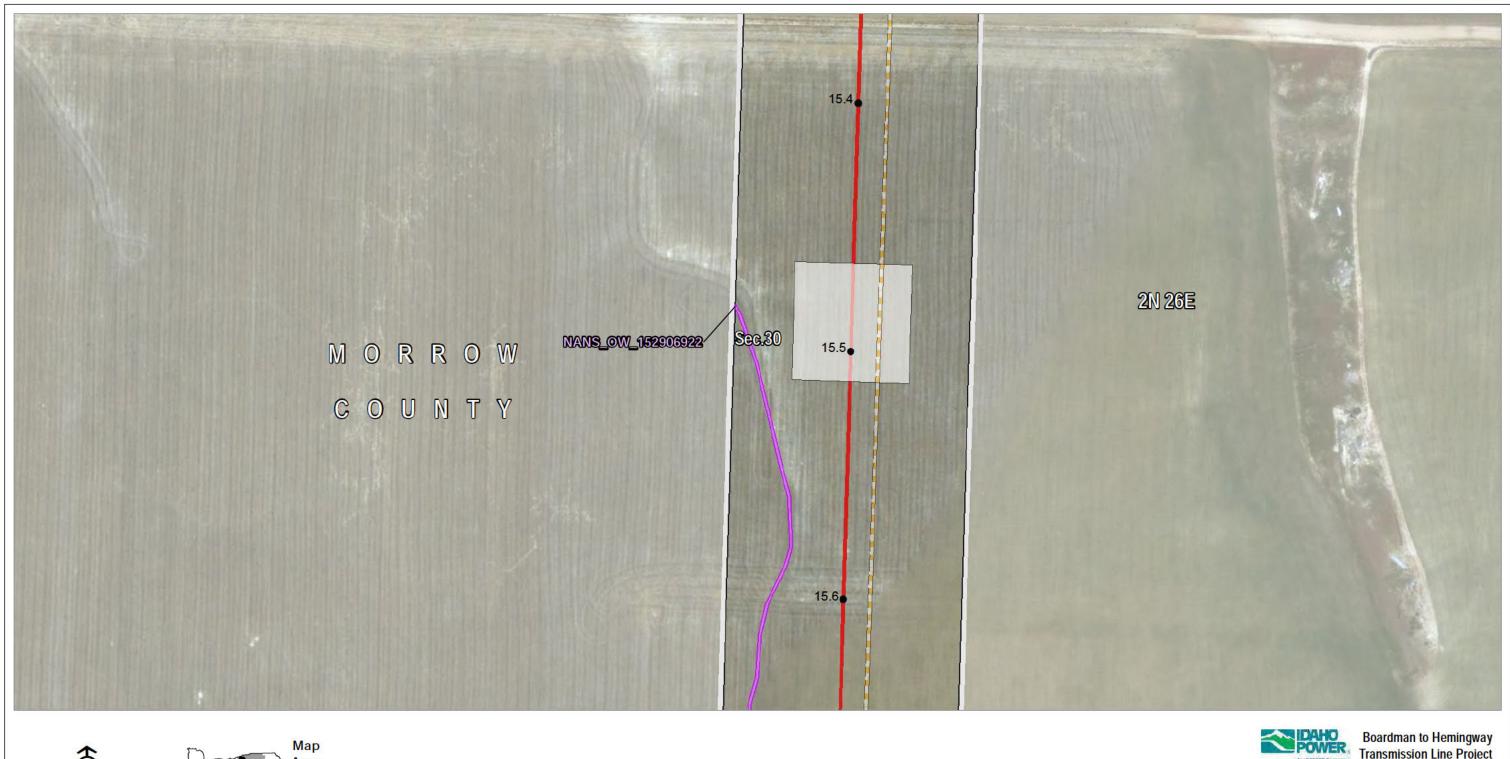
Project Features
Site Boundary

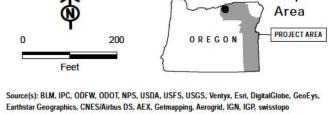
Proposed Route
Other Waters

Alternative Route
Construction Access
Existing Road, Substantial
Modification, 21-70%
Improvements

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-10
Wetland and Other Waters
Detail Maps
Morrow County





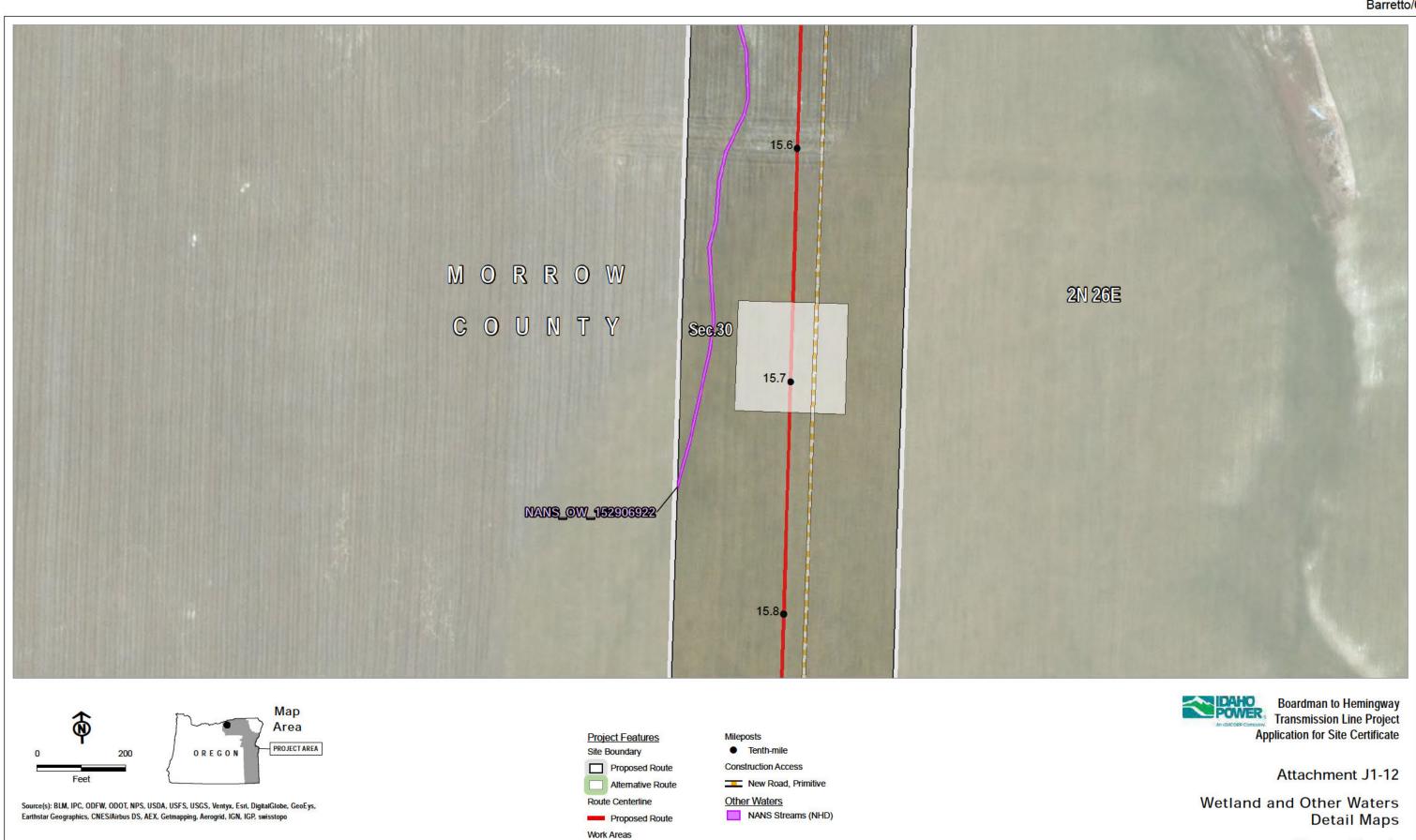
Project Features Mileposts Site Boundary Tenth-mile Construction Access Proposed Route Alternative Route New Road, Primitive Route Centerline Other Waters NANS Streams (NHD) Proposed Route Work Areas

Structure Work Area

Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

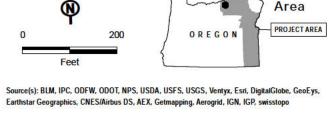
Attachment J1-11 Wetland and Other Waters Detail Maps Morrow County

Morrow County



Structure Work Area



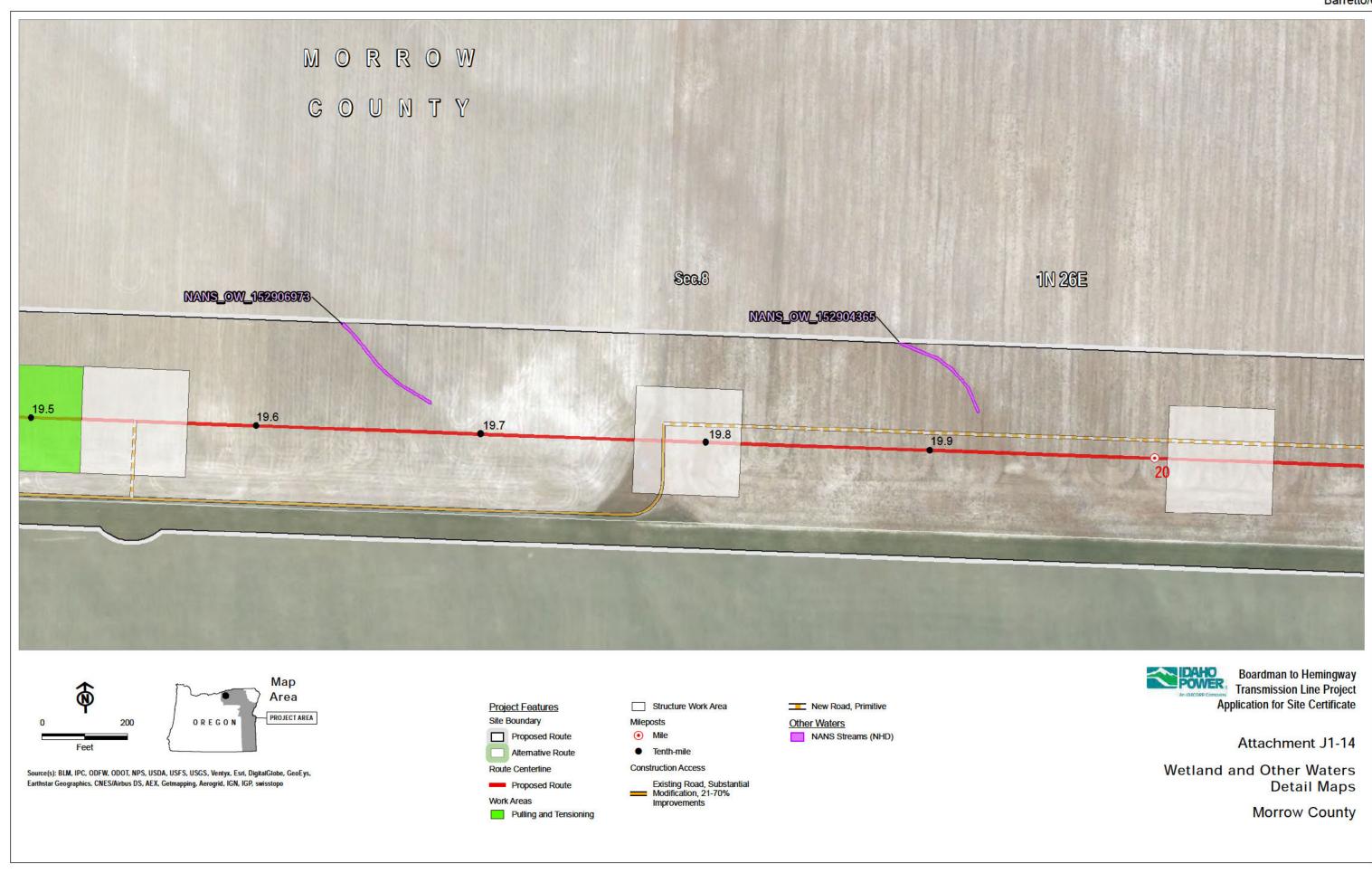


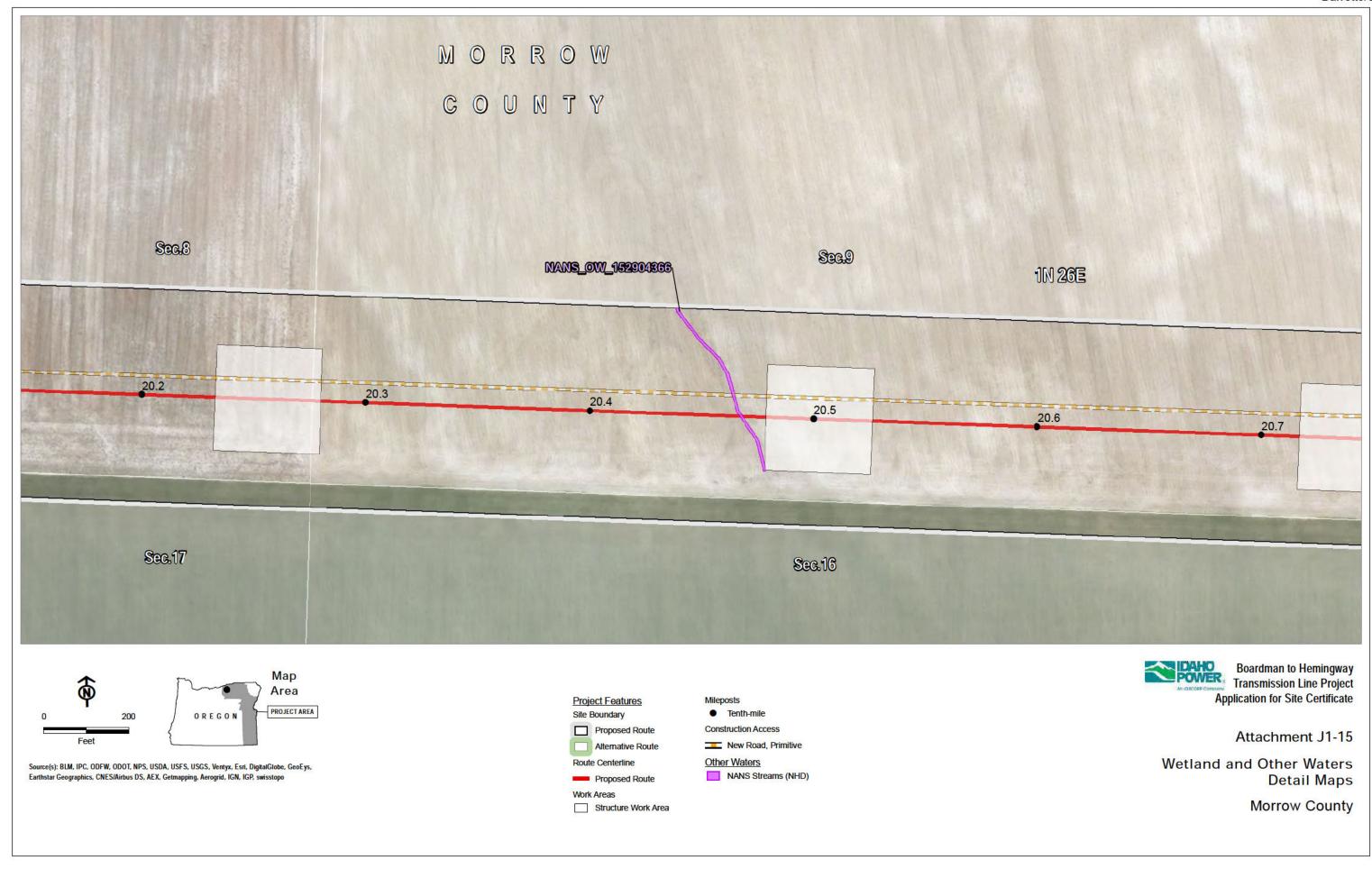
Project Features Mileposts Site Boundary Tenth-mile Construction Access Proposed Route Alternative Route New Road, Primitive Route Centerline Other Waters NANS Streams (NHD) Proposed Route Work Areas

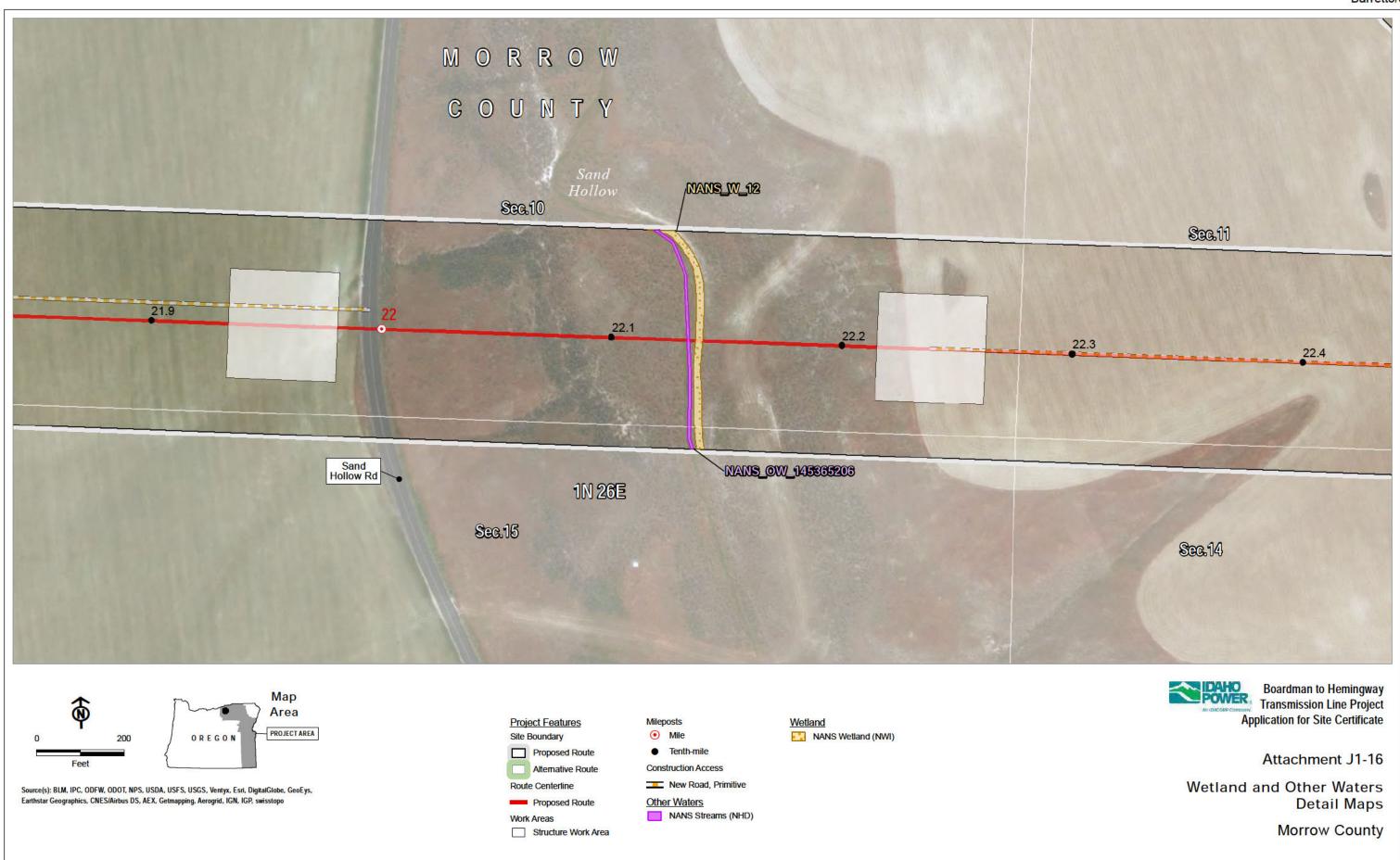
Structure Work Area

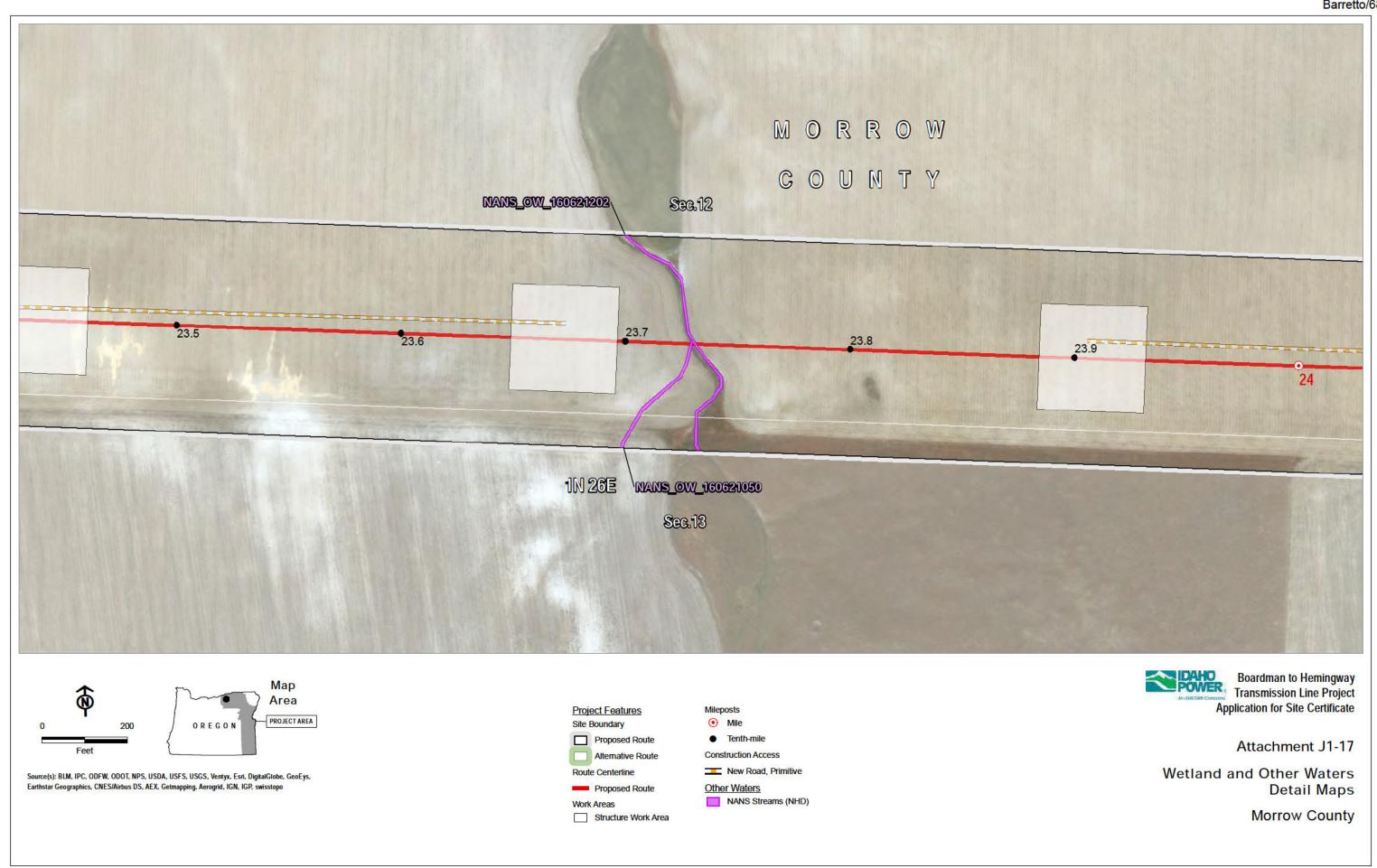
**Application for Site Certificate** 

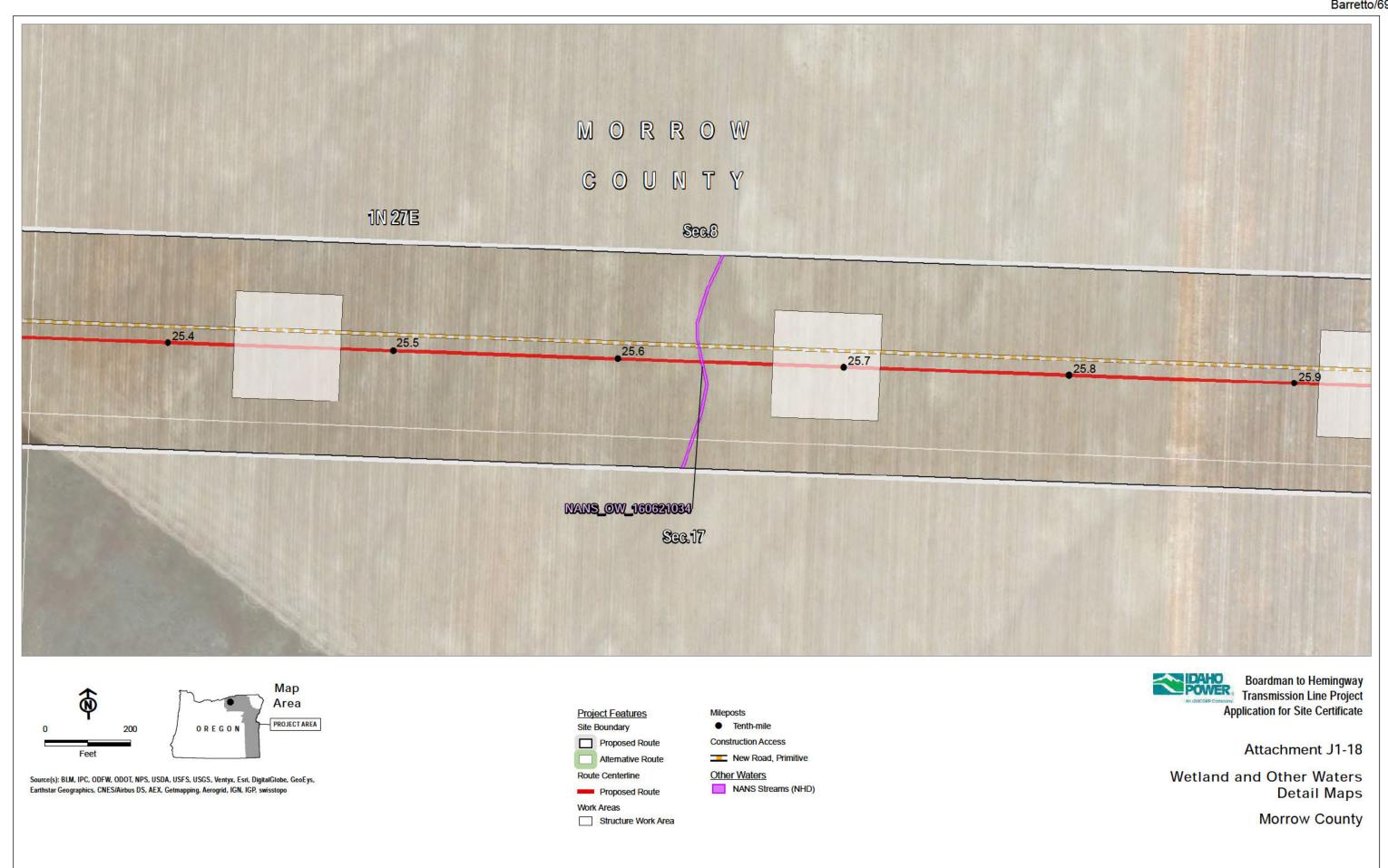
Attachment J1-13 Wetland and Other Waters Detail Maps Morrow County

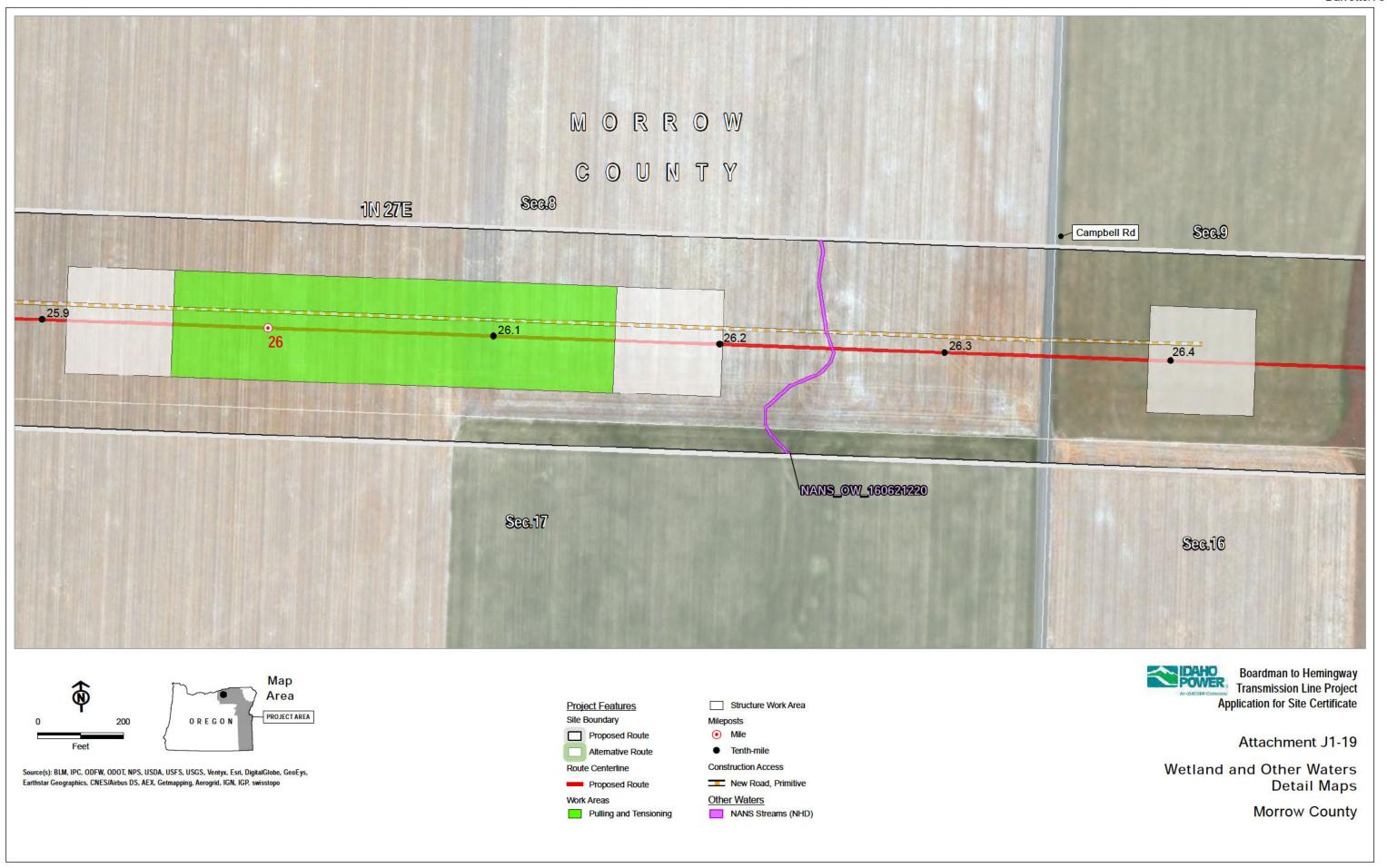


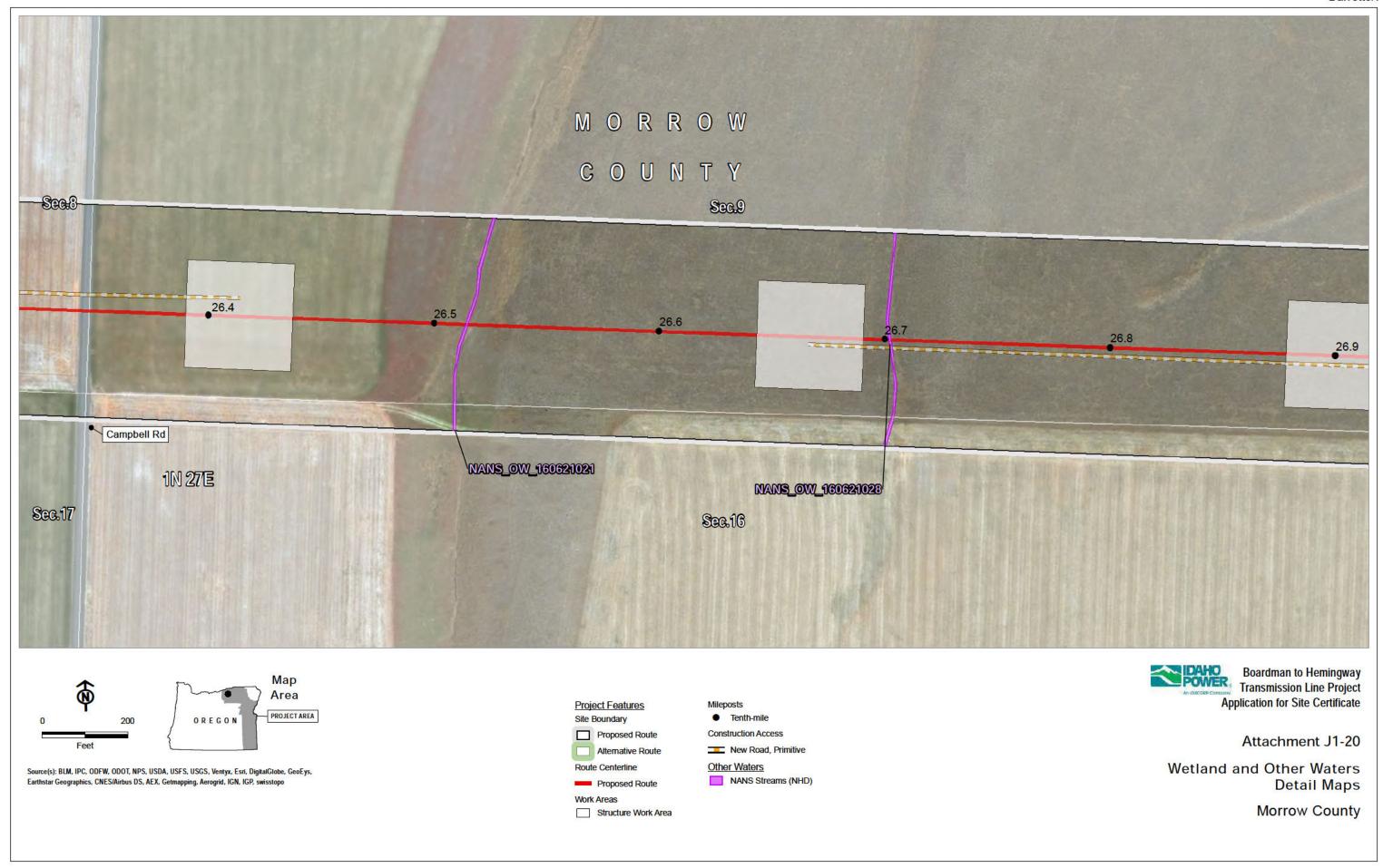
















Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

**Project Features** Site Boundary

Proposed Route Alternative Route

Route Centerline Proposed Route

Work Areas Structure Work Area Mileposts

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70% Improvements

New Road, Primitive

Transportation

Other Major Roads

Other Waters NANS Streams (NHD)

Wetland

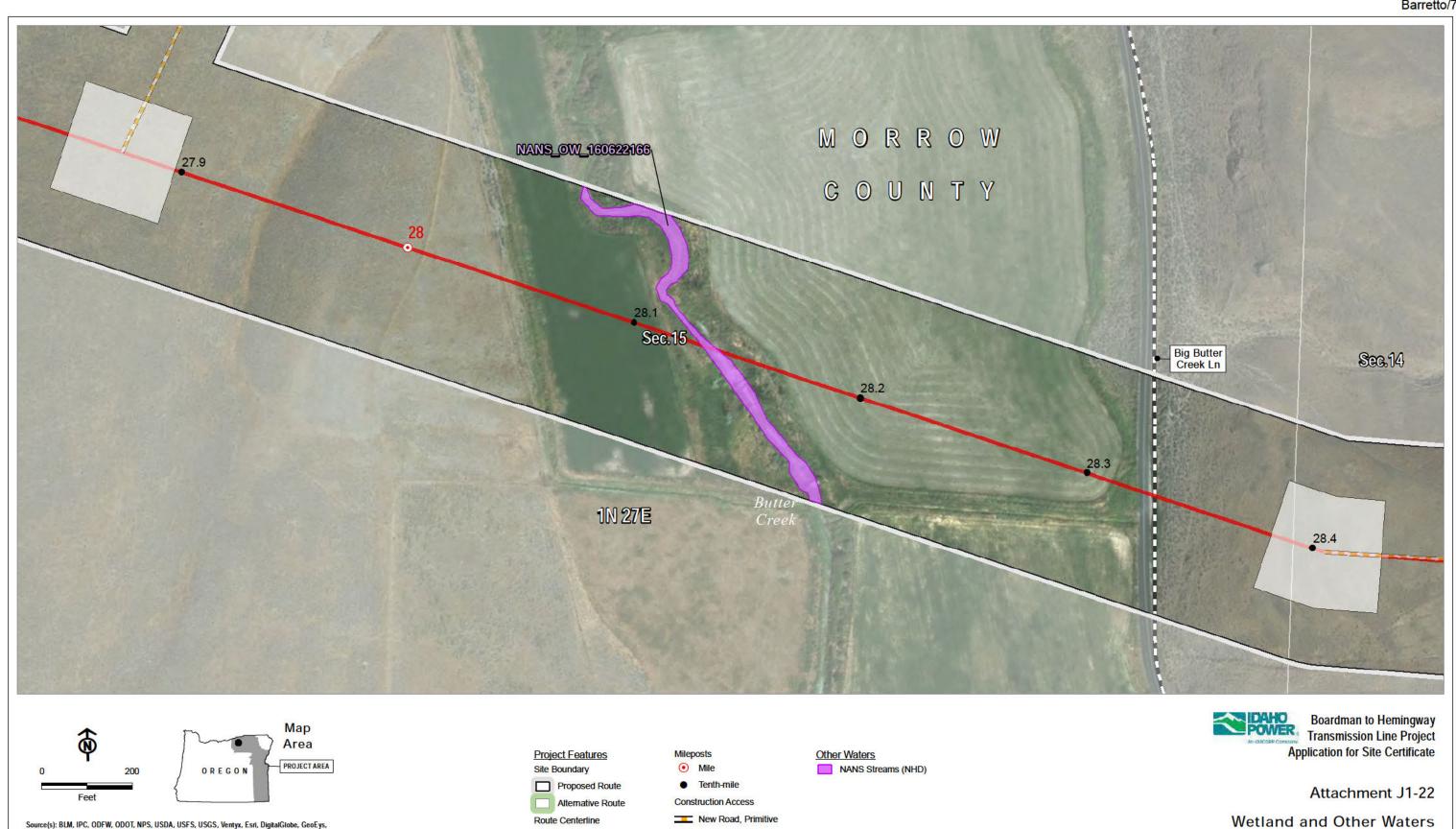
NANS Wetland (NWI)

Boardman to Hemiriyway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-21

Wetland and Other Waters Detail Maps

Morrow County



<u>Transportation</u>

Other Major Roads

Proposed Route

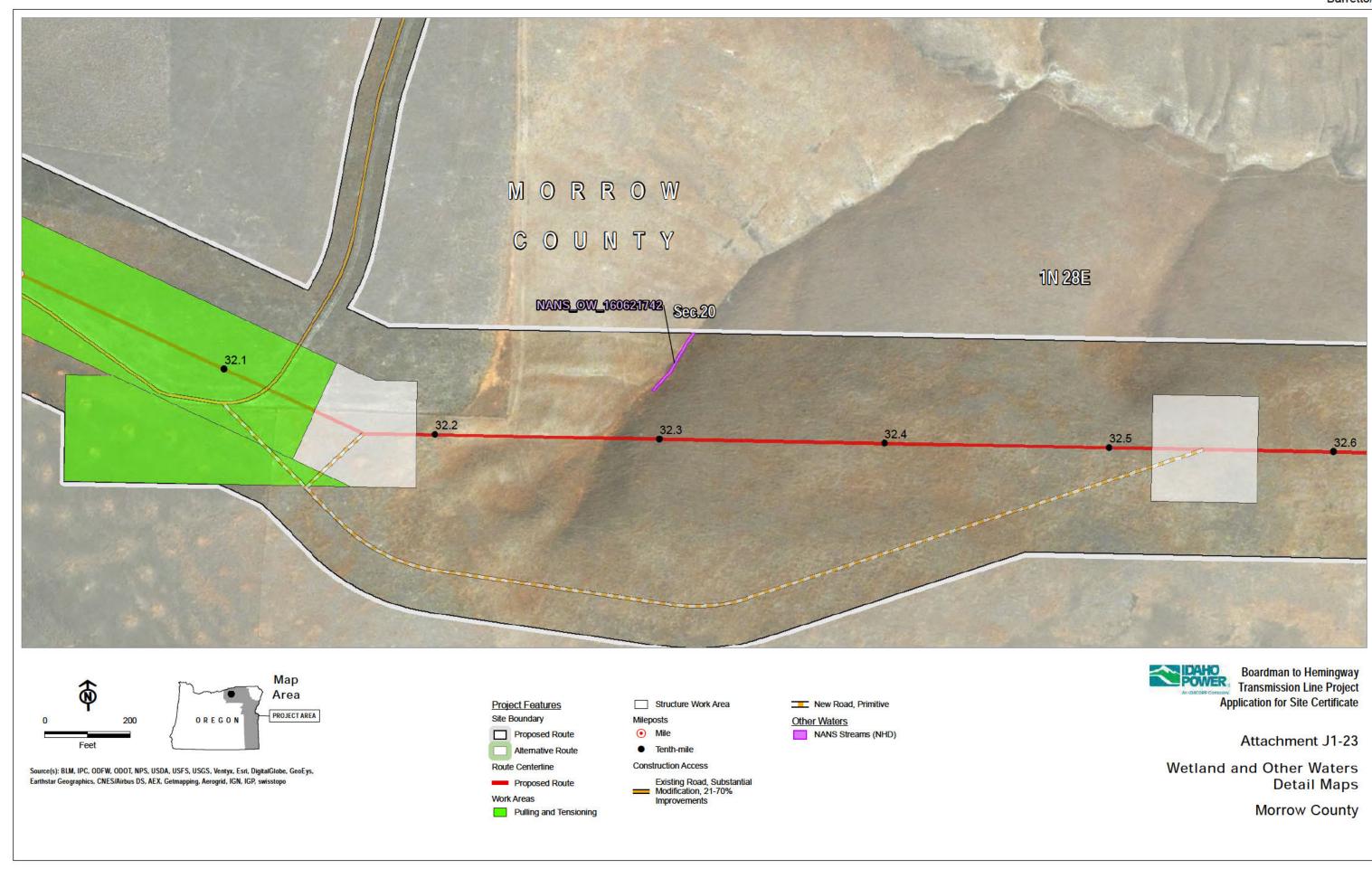
Structure Work Area

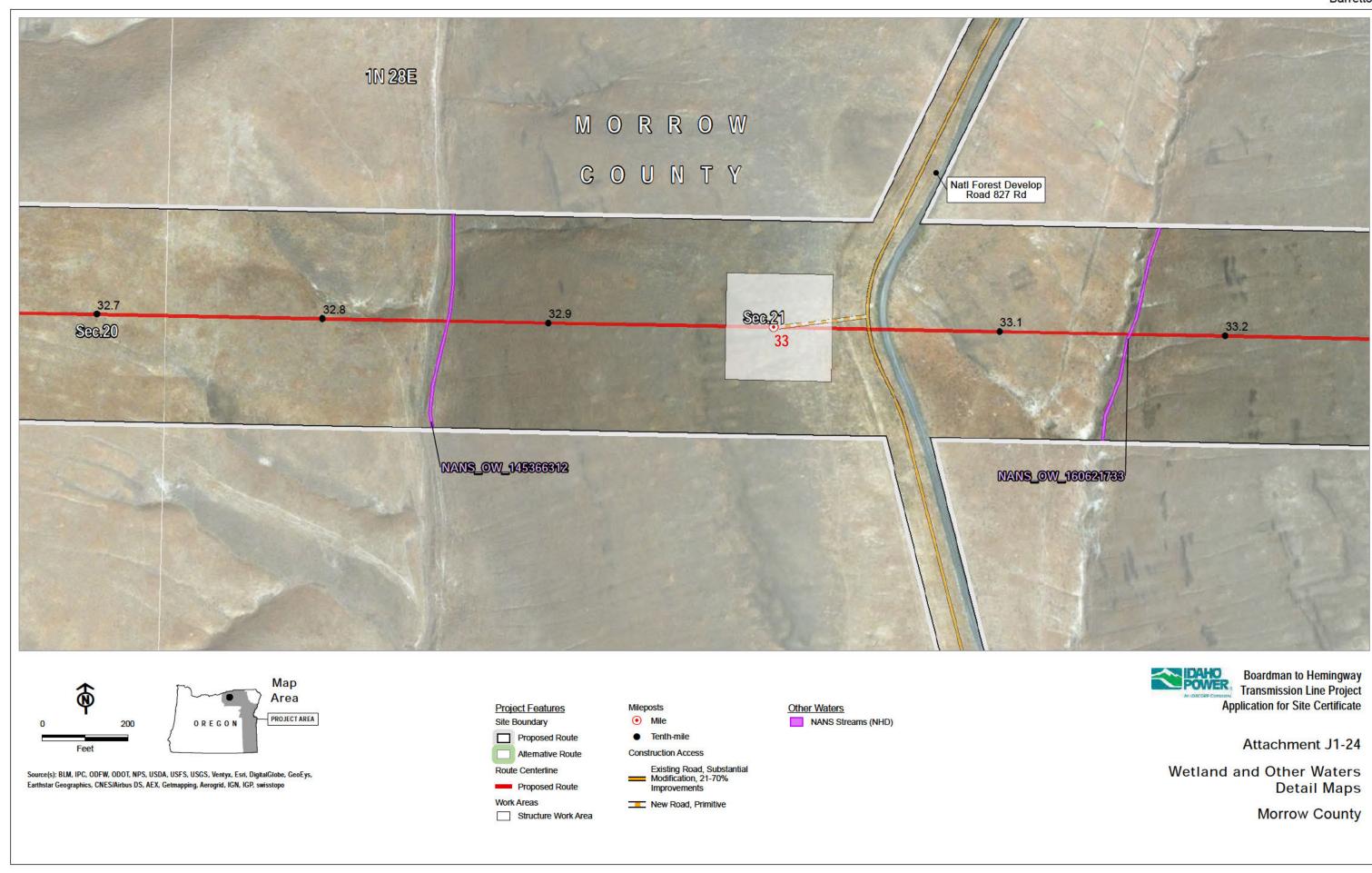
Work Areas

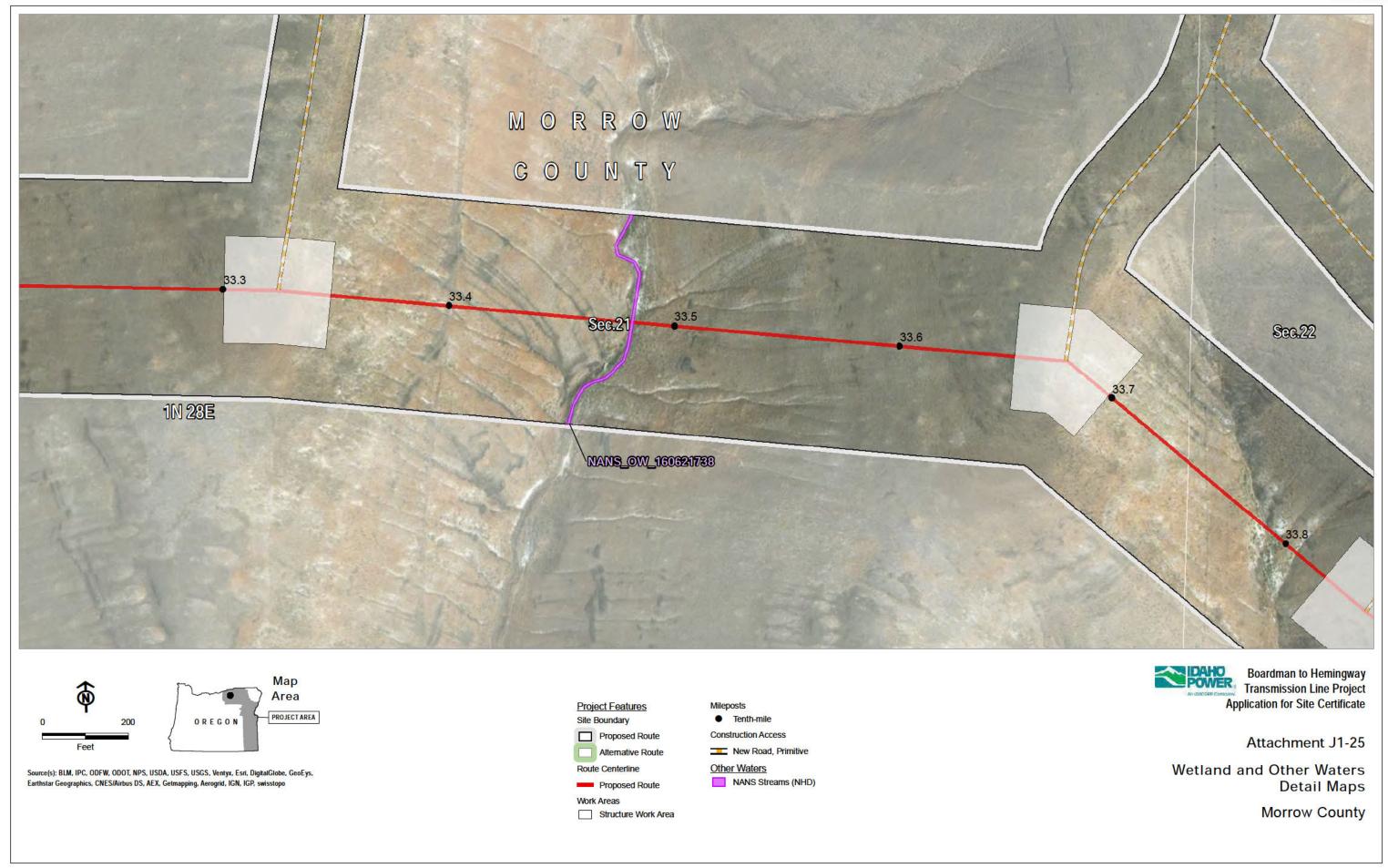
Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

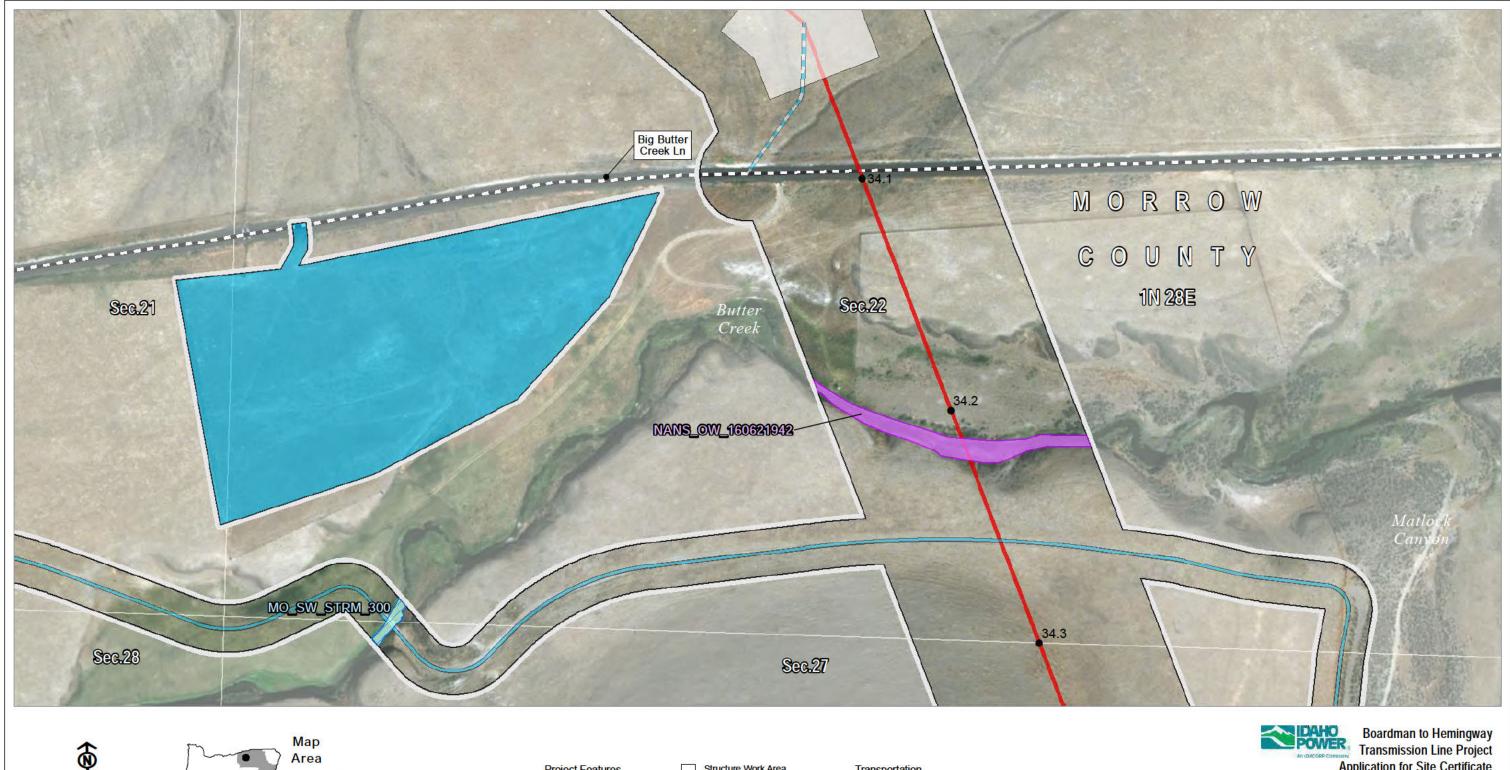
Wetland and Other Waters
Detail Maps

Morrow County











**Project Features** Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route Work Areas

Multi-Use Area

Structure Work Area

Mileposts Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 71-100% Improvements

New Road, Bladed

Transportation

Other Major Roads

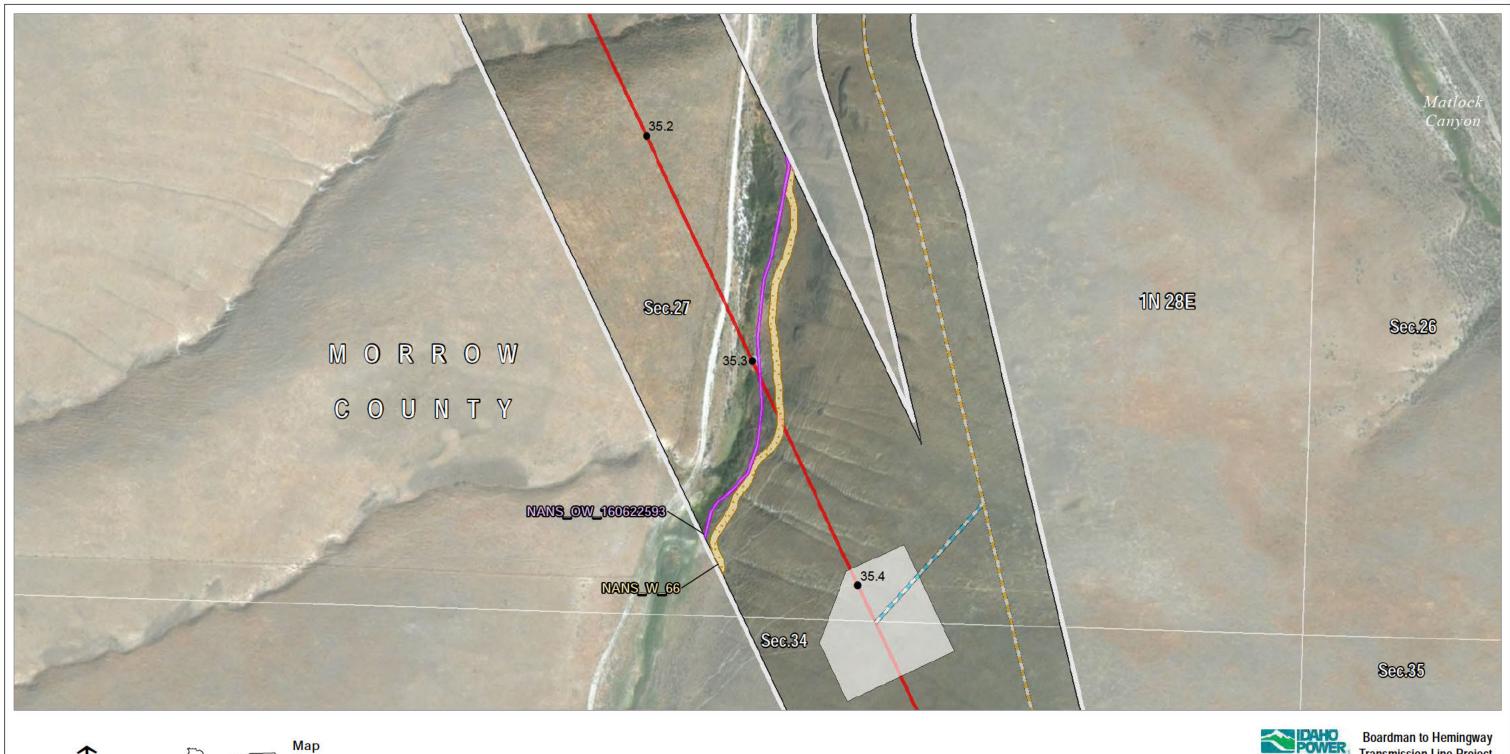
Other Waters

Field Survey Streams NANS Streams (NHD) **Application for Site Certificate** 

Attachment J1-26

Wetland and Other Waters **Detail Maps** 

Morrow County





**Project Features** Site Boundary

Proposed Route Alternative Route

Route Centerline

Proposed Route Work Areas Structure Work Area Mileposts

Tenth-mile

Construction Access

New Road, Bladed New Road, Primitive

Other Waters

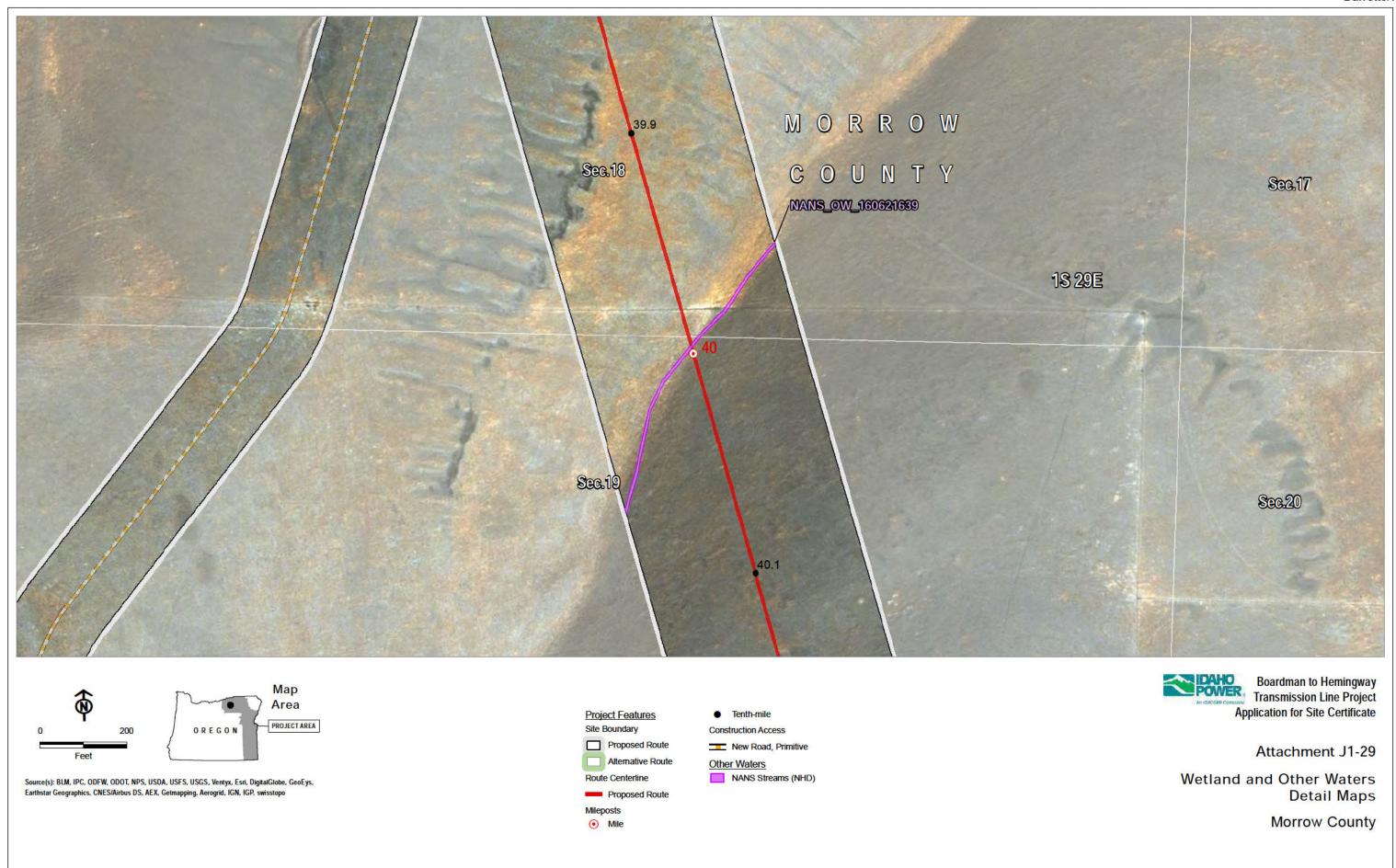
NANS Streams (NHD)

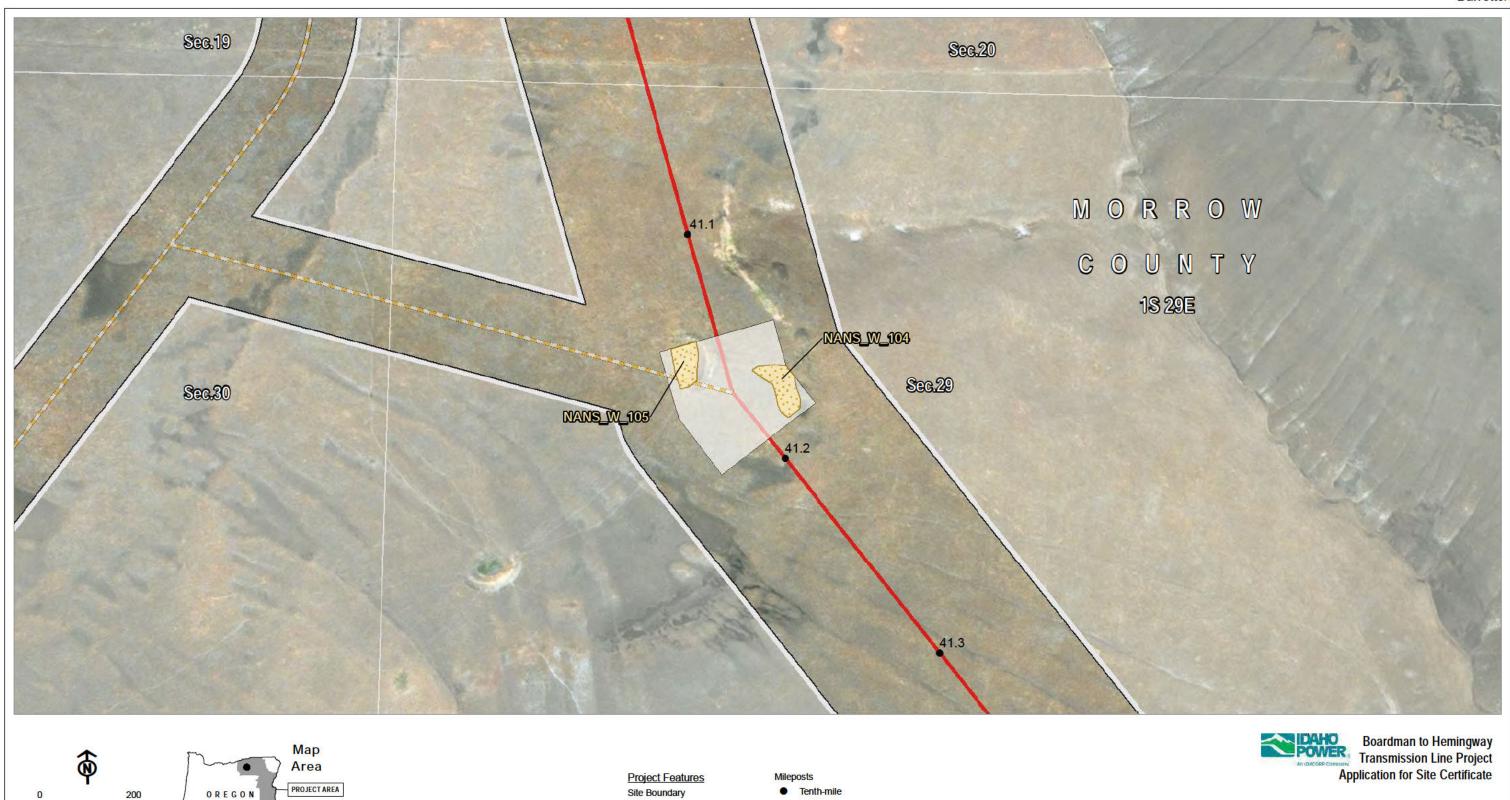
Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project Application for Site Certificate

Attachment J1-27 Wetland and Other Waters Detail Maps Morrow County





Proposed Route

Route Centerline

Work Areas

Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys,

Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Alternative Route

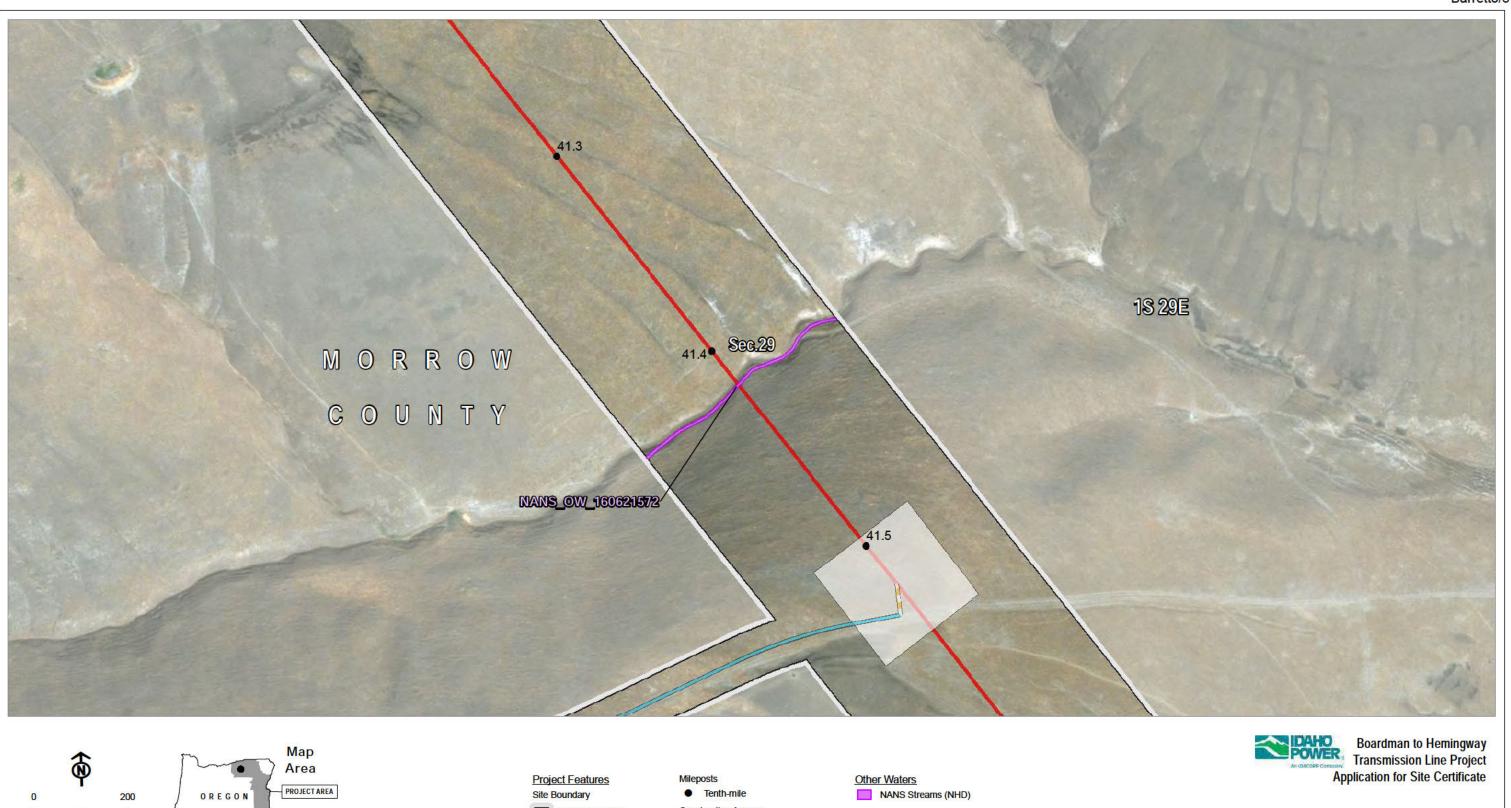
Proposed Route

Structure Work Area



Attachment J1-30 Wetland and Other Waters

Detail Maps Morrow County





Attachment J1-31
Wetland and Other Waters
Detail Maps
Morrow County





**Project Features** Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route

Structure Work Area

Work Areas

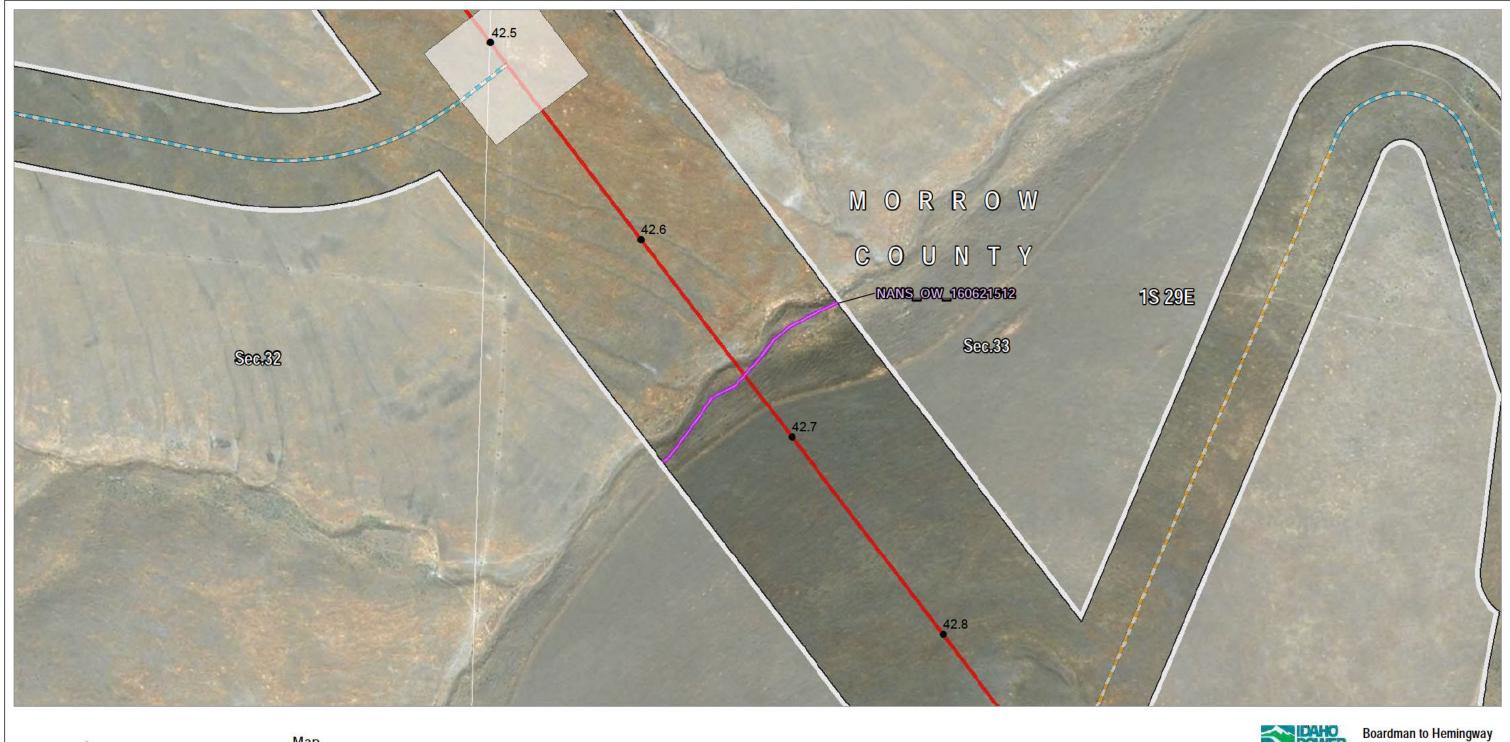
 Tenth-mile Construction Access Existing Road, Substantial
Modification, 71-100% Improvements New Road, Bladed

Mileposts

Other Waters NANS Streams (NHD) Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

Attachment J1-32 Wetland and Other Waters Detail Maps

Morrow County





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Structure Work Area

Mileposts

Tenth-mile

Construction Access

New Road, Bladed

New Road, Primitive

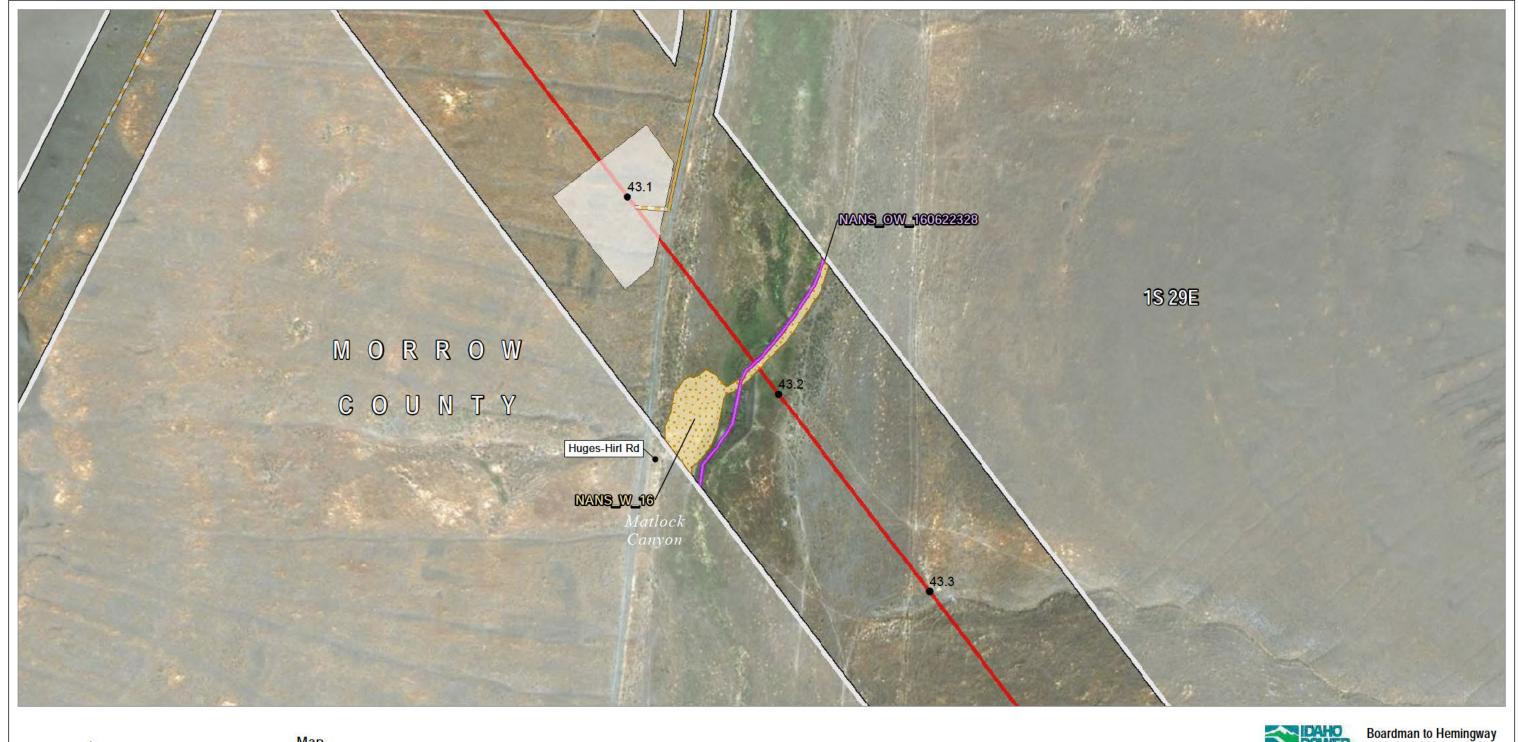
Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-33

Wetland and Other Waters Detail Maps Morrow County





Project Features
Site Boundary

Proposed Route
Alternative Route

Route Centerline

Proposed Route
Work Areas

Structure Work Area

Mileposts

Tenth mil

Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

New Road, Primitive

Other Waters

NANS Streams (NHD)

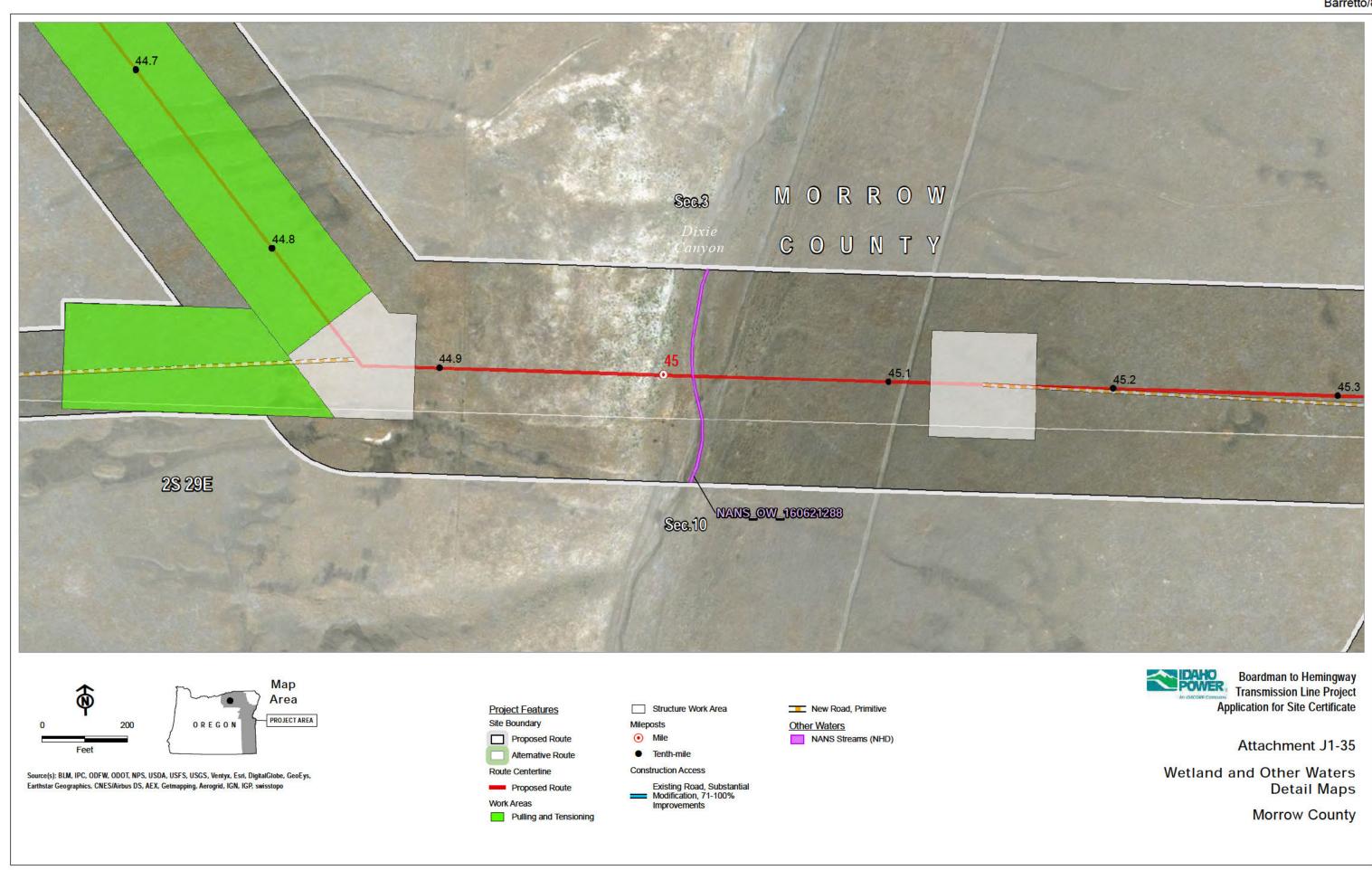
Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-34

Wetland and Other Waters
Detail Maps
Morrow County







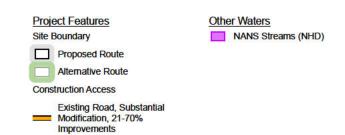


Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-36
Wetland and Other Waters
Detail Maps
Morrow County







Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-37
Wetland and Other Waters
Detail Maps
Morrow County





Project Features
Site Boundary

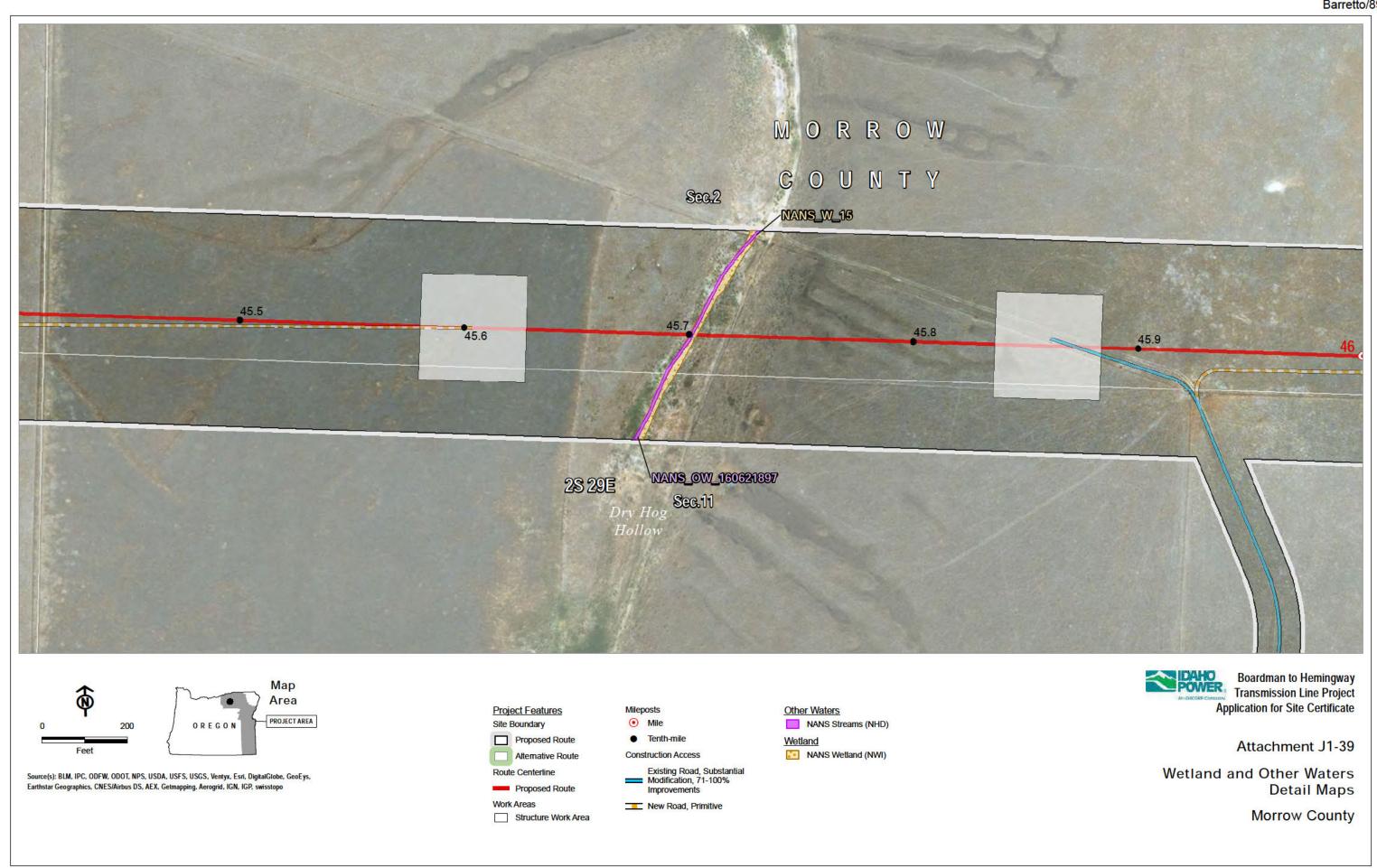
Proposed Route
Alternative Route

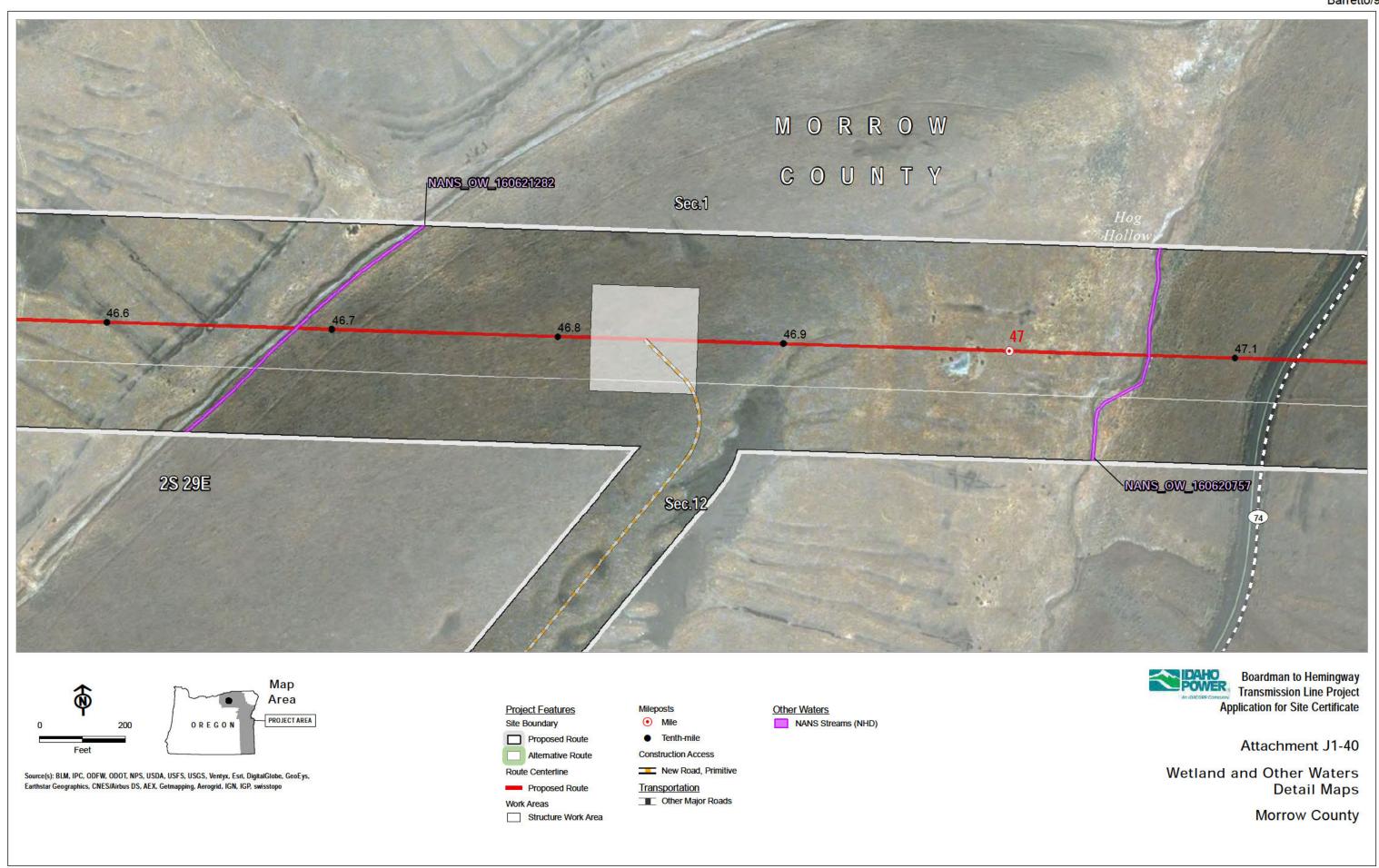
Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-38
Wetland and Other Waters
Detail Maps
Morrow County









Project Features
Site Boundary

Other Waters
Proposed Route

Alternative Route

County Boundary

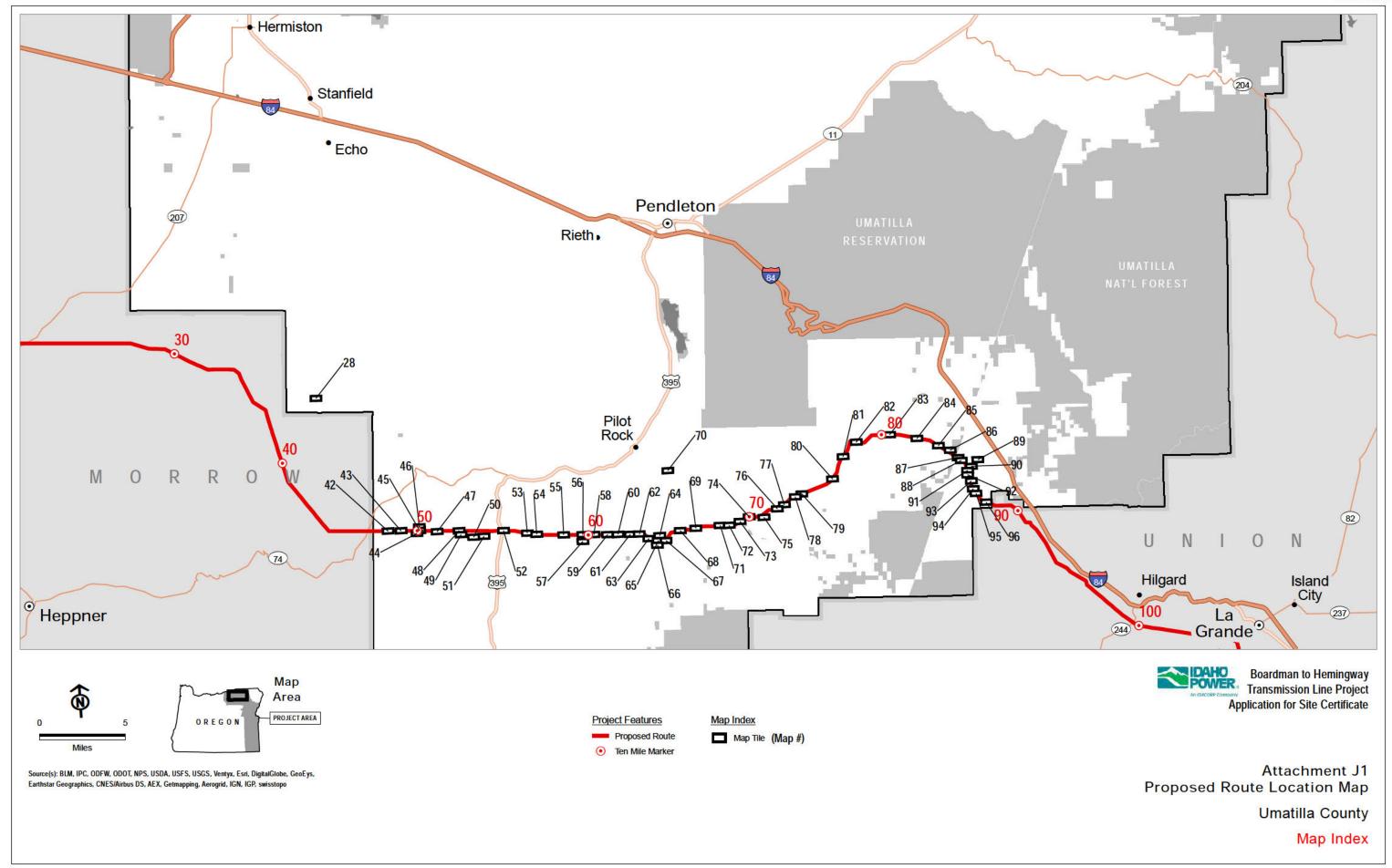
Other Waters
NANS Streams (NHD)

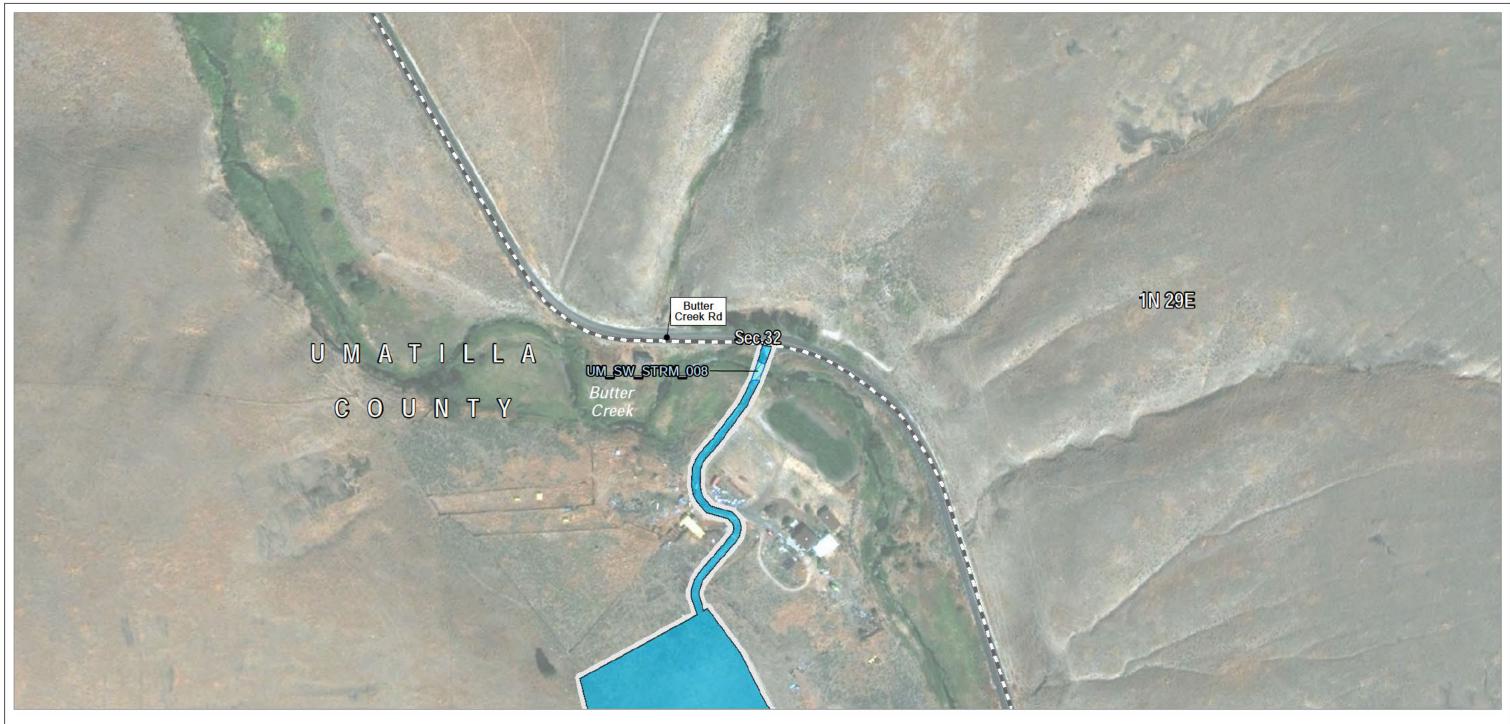
Construction Access

Existing Road, Substantial
Modification, 71-100%
Improvements

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-41
Wetland and Other Waters
Detail Maps
Morrow County







Project Features
Site Boundary

Proposed Route
Alternative Route

Work Areas

Multi-Use Area

Transportation

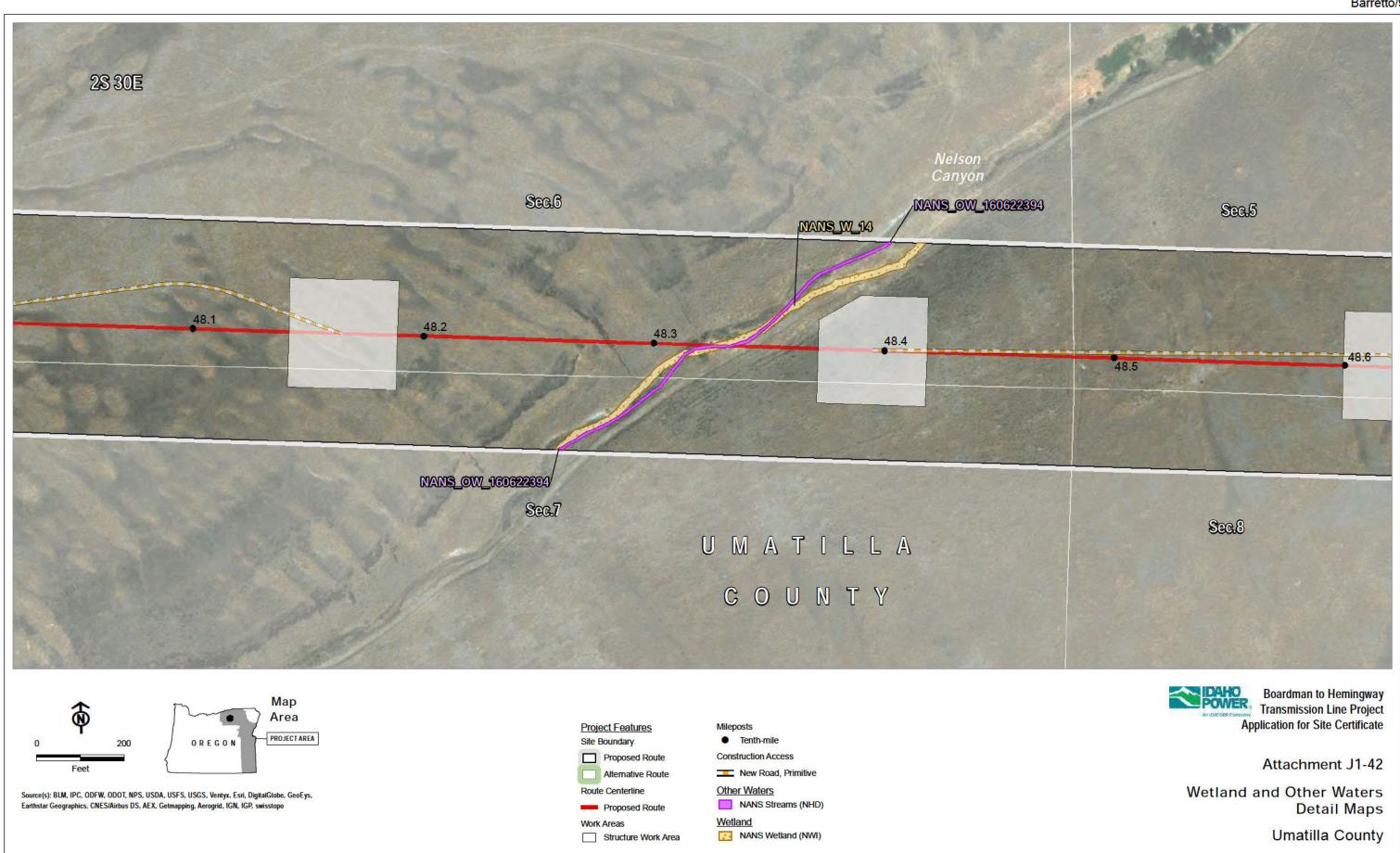
Other Major Roads

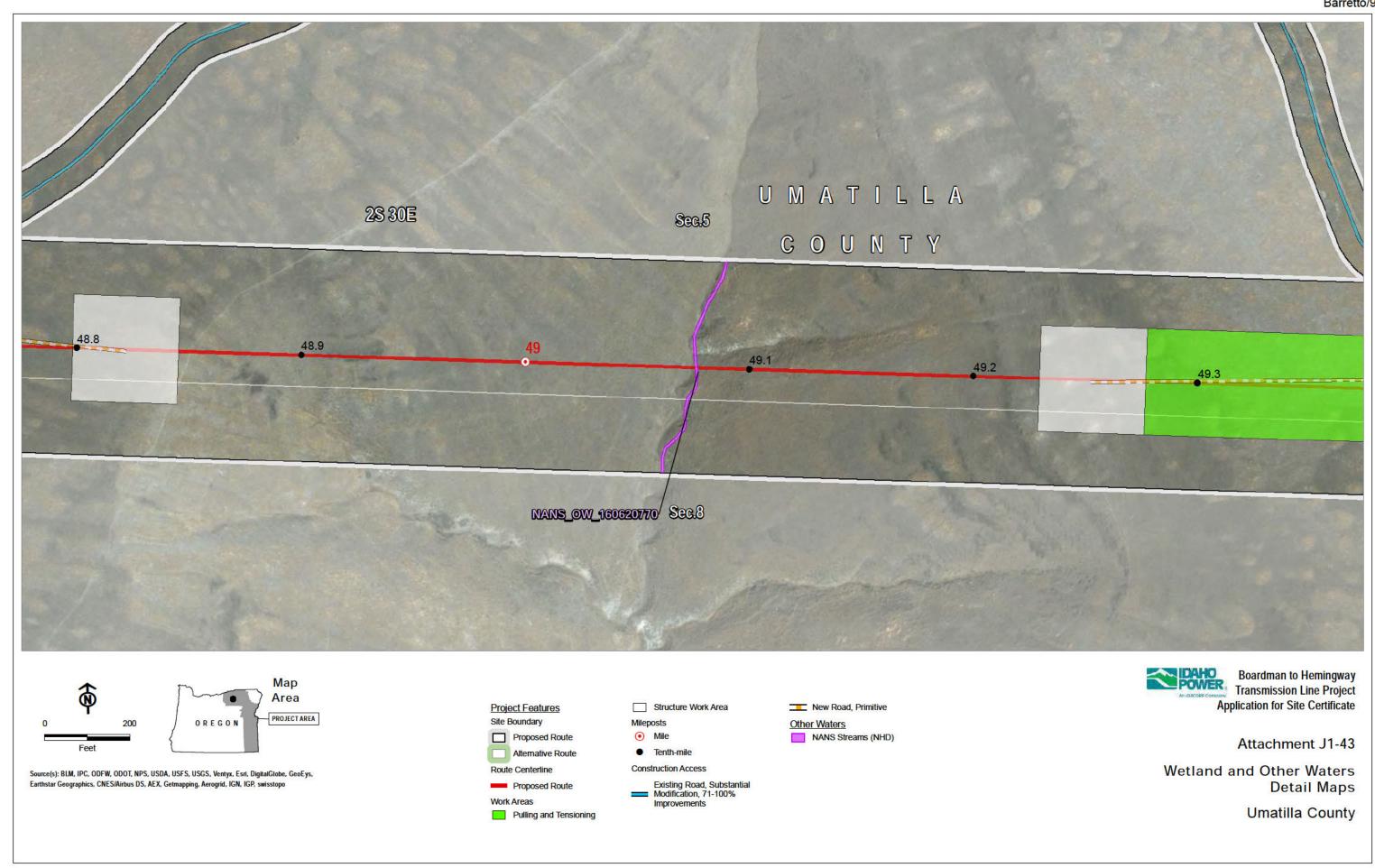
Other Waters

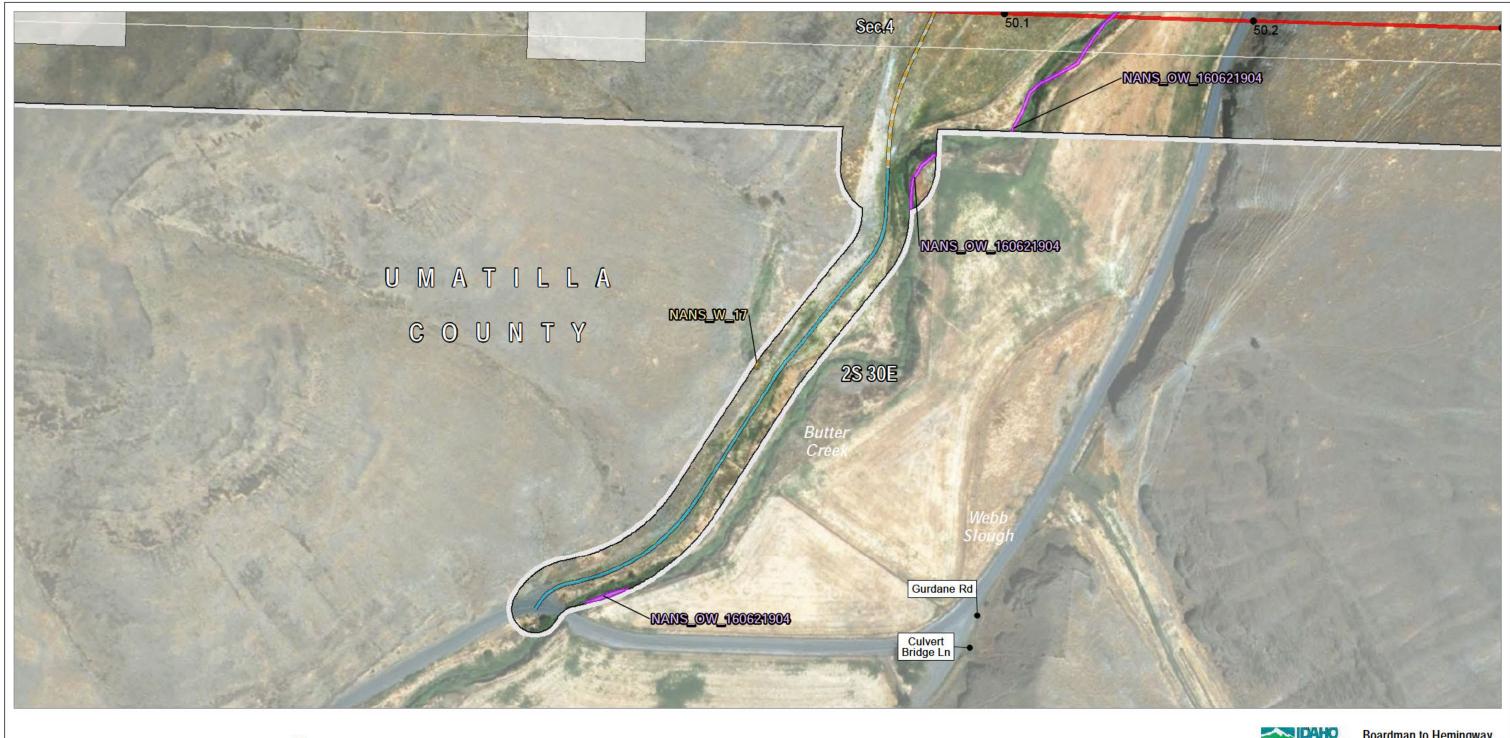
Field Survey Streams



Attachment J1-28
Wetland and Other Waters
Detail Maps
Umatilla County









Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 71-100%
Improvements

New Road, Primitive

Other Waters

NANS Streams (NHD)

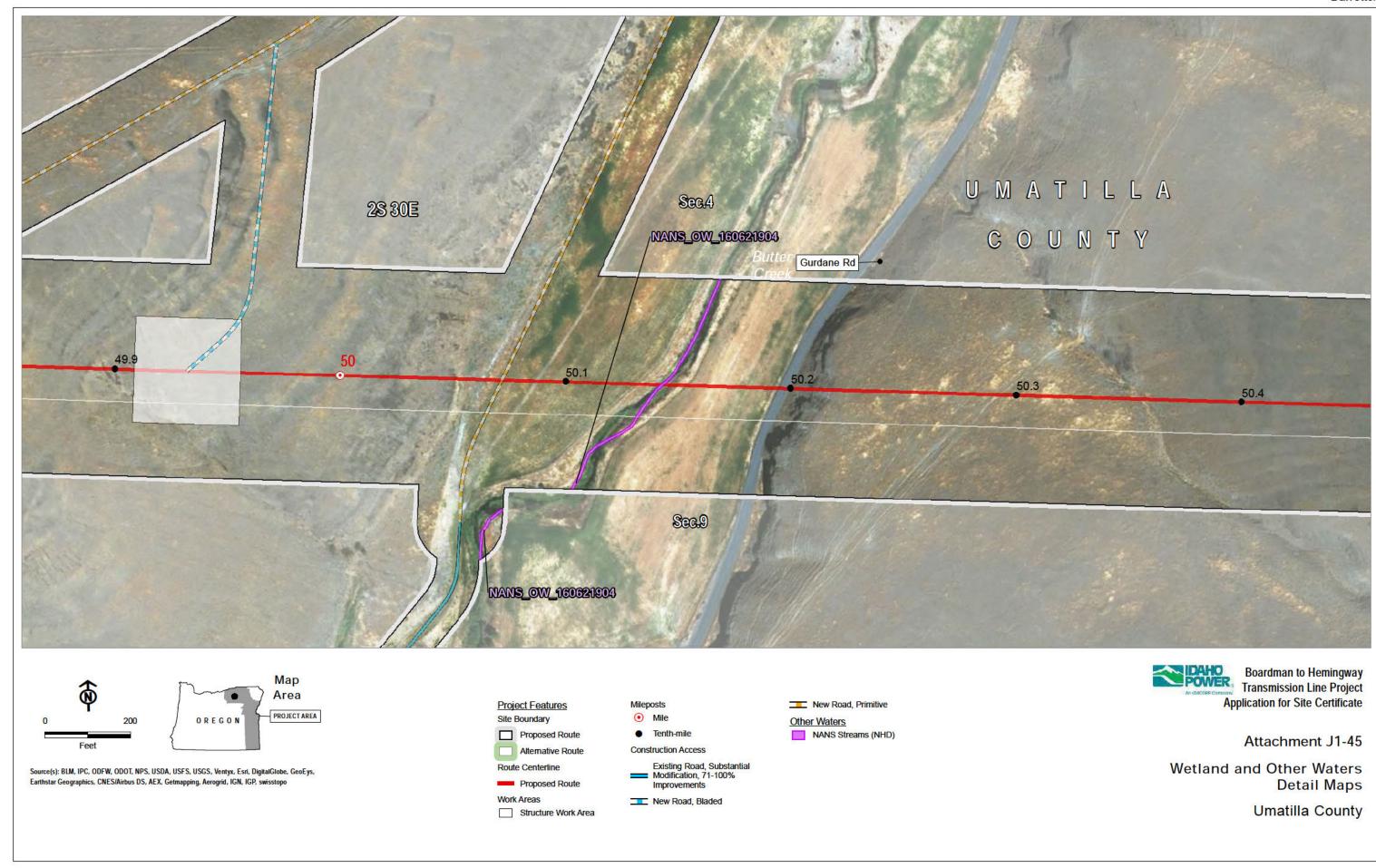
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NANS Wetland (NWI)

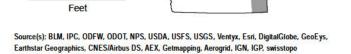
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-44

Wetland and Other Waters
Detail Maps
Umatilla County





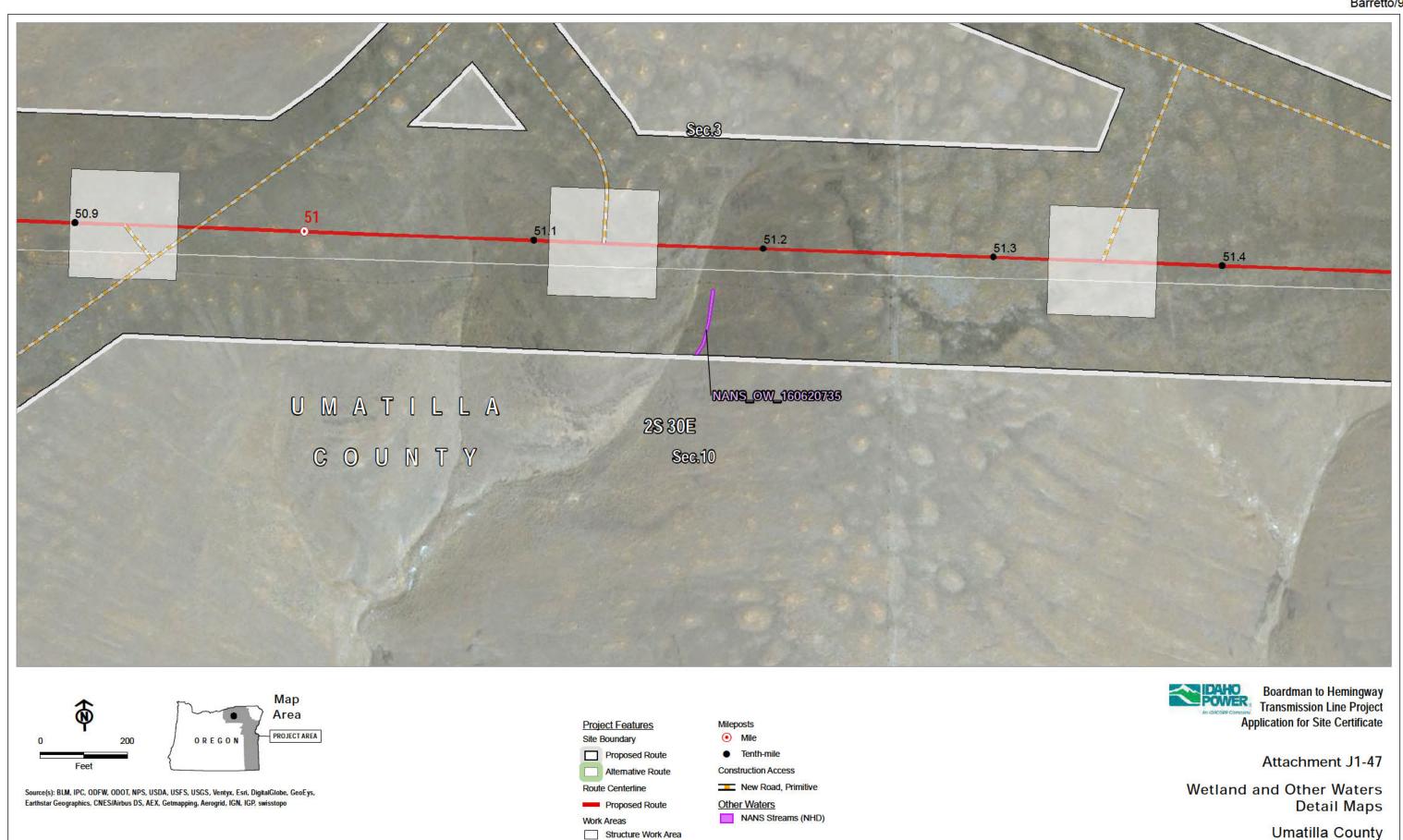


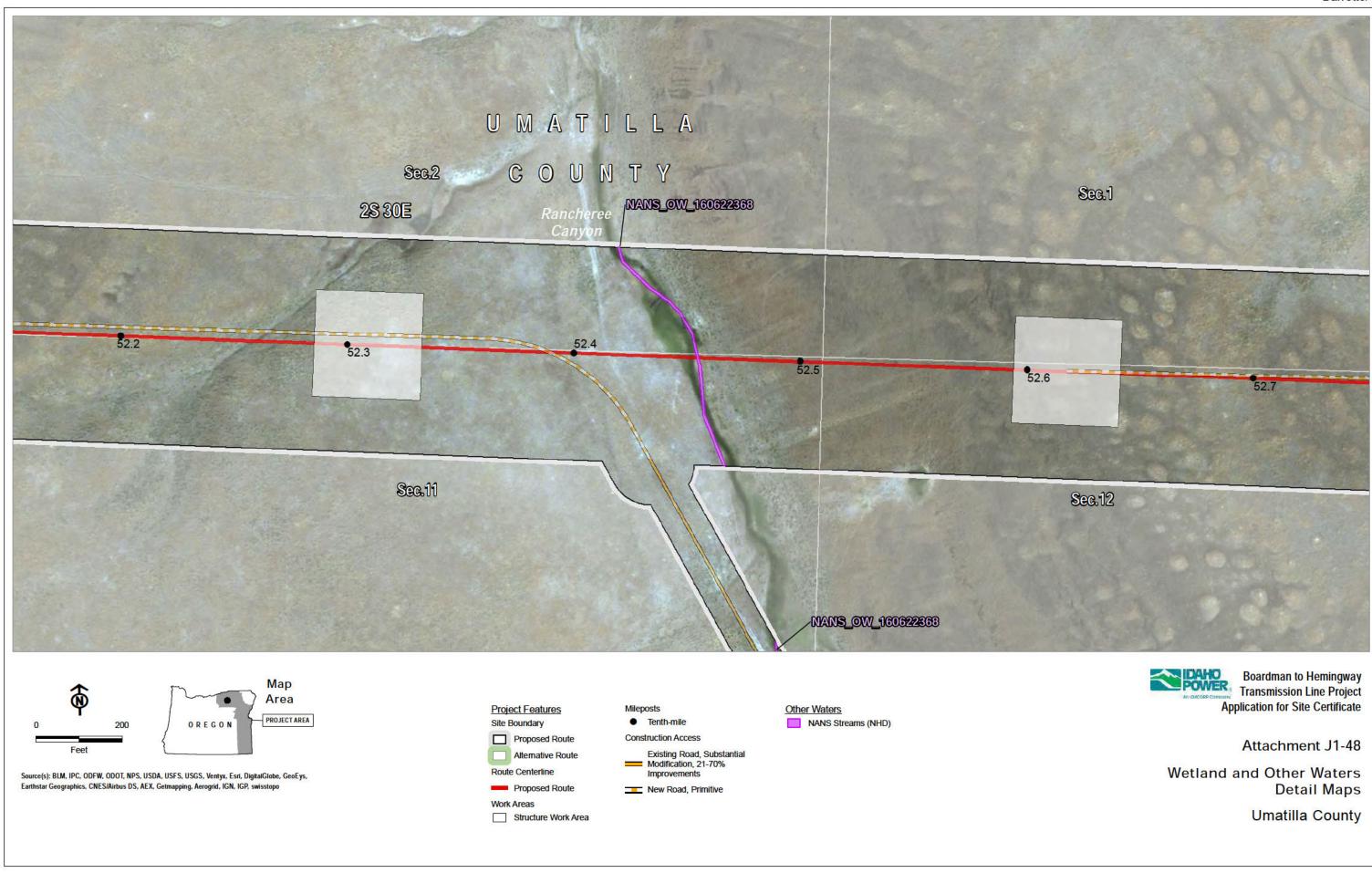
Project Features
Site Boundary

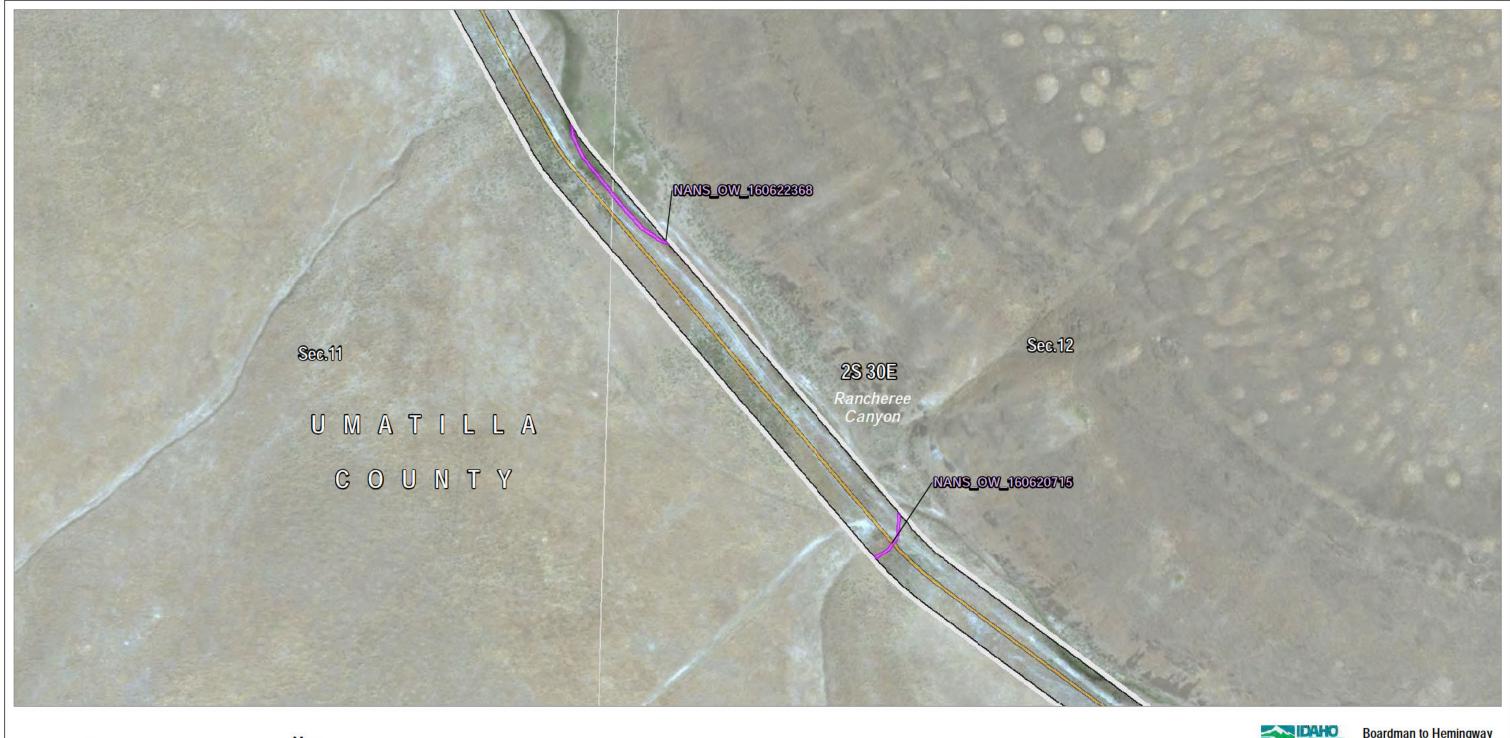
Proposed Route
Alternative Route
Construction Access

New Road, Bladed
New Road, Primitive

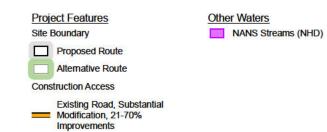
Attachment J1-46
Wetland and Other Waters
Detail Maps
Umatilla County









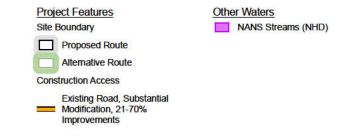


Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-49
Wetland and Other Waters
Detail Maps
Umatilla County





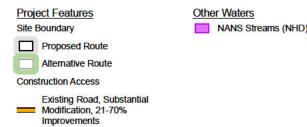


Boardman to Hemingway
Transmission Line Project **Application for Site Certificate** 

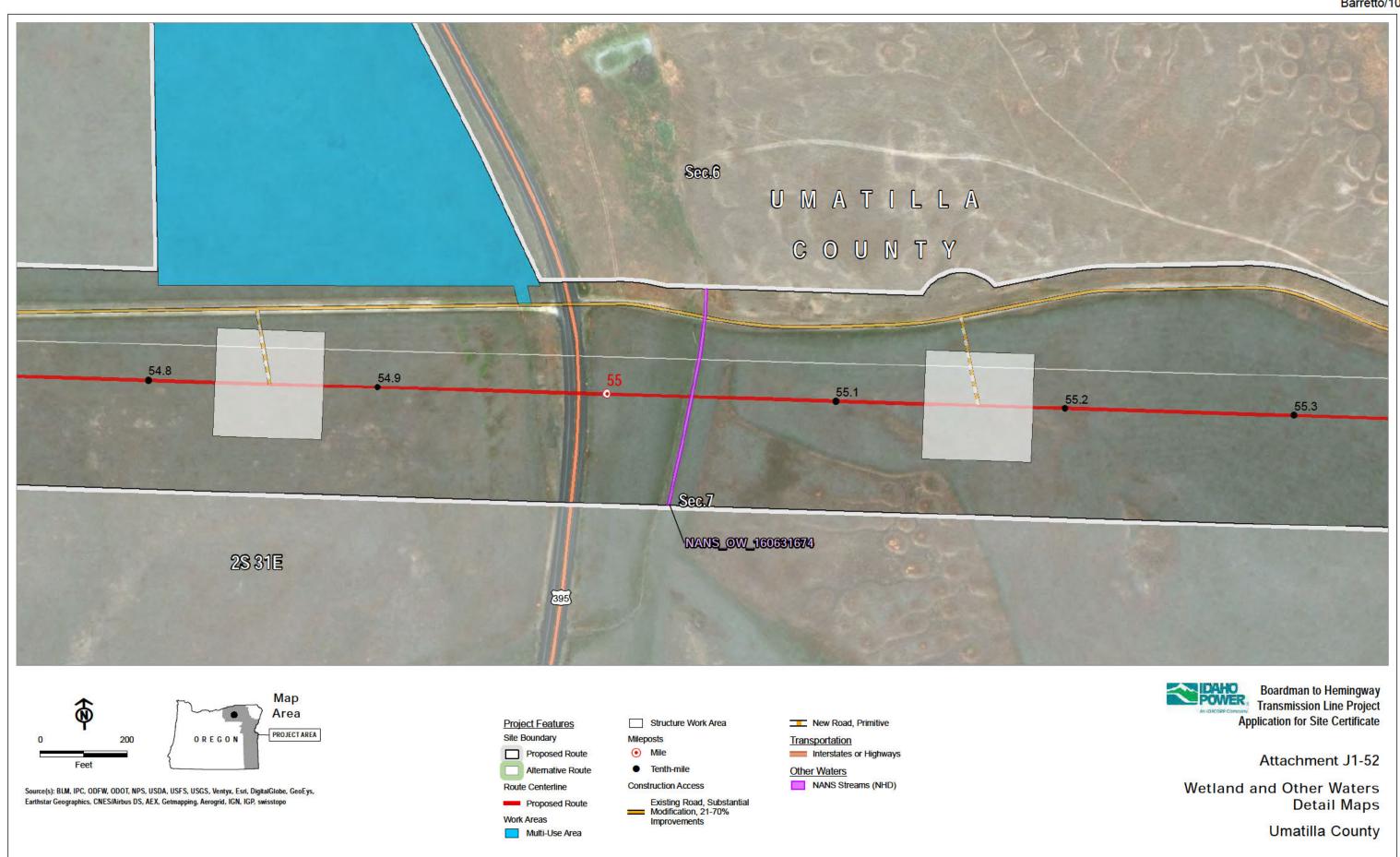
Attachment J1-50 Wetland and Other Waters **Detail Maps Umatilla County** 

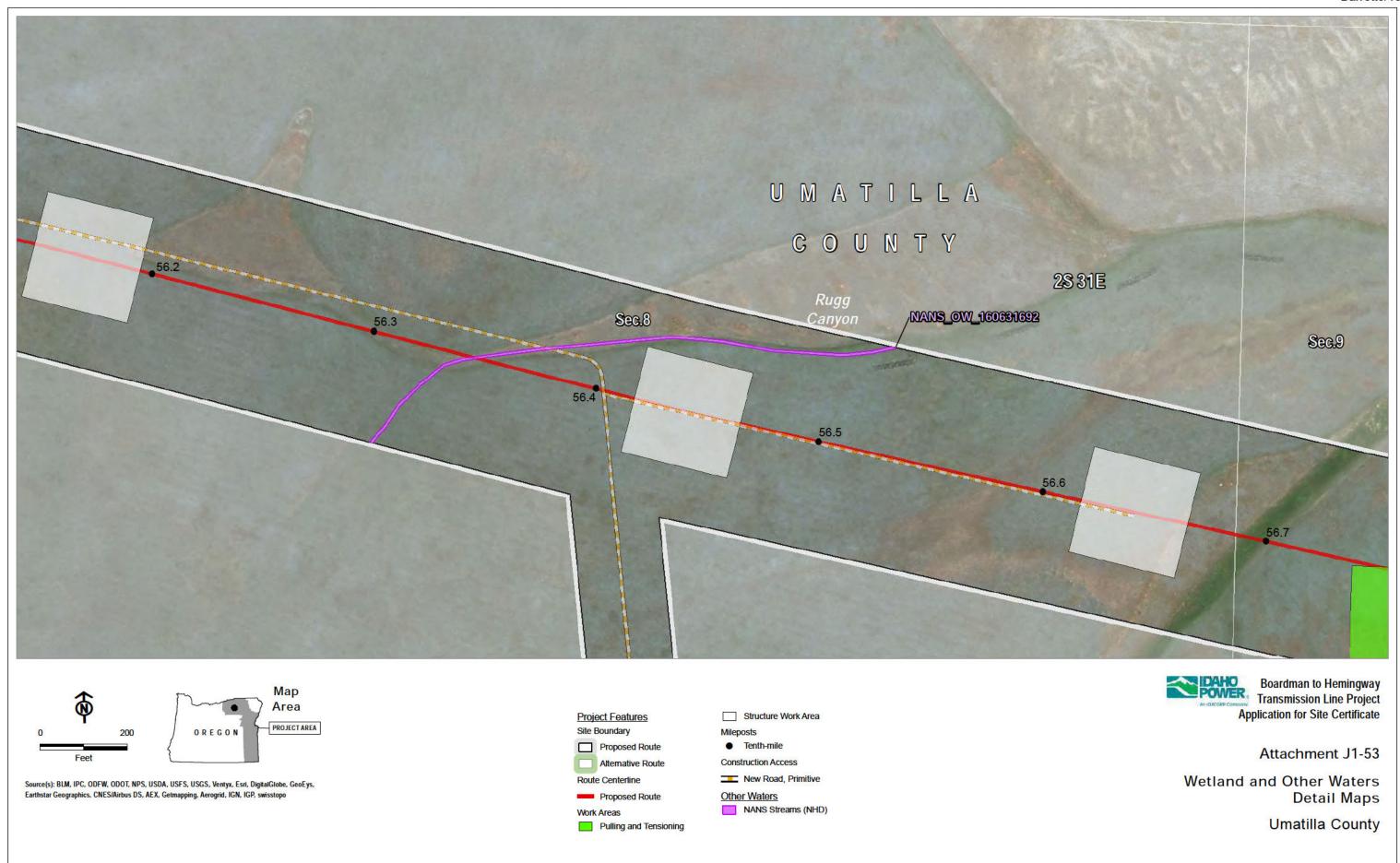




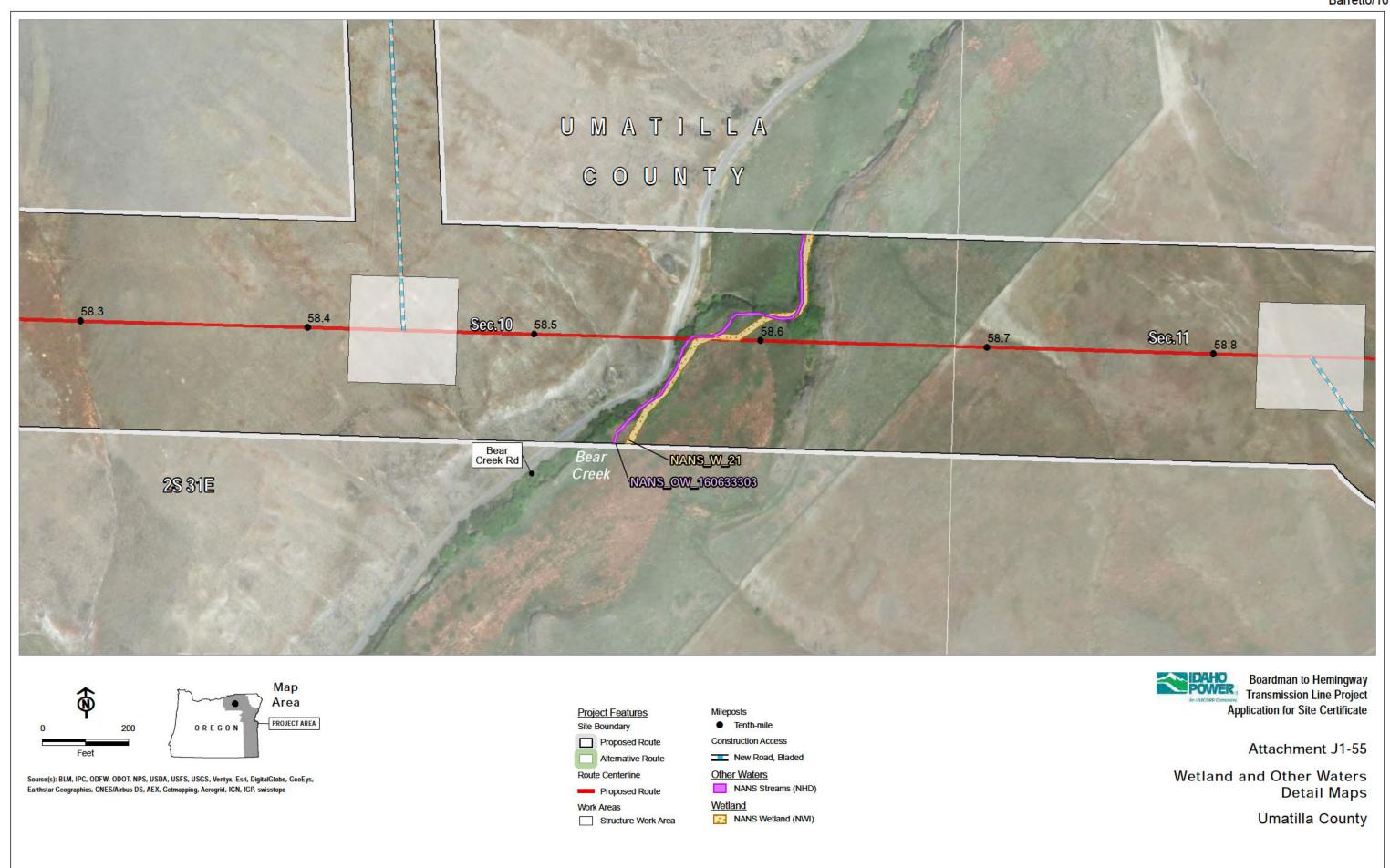


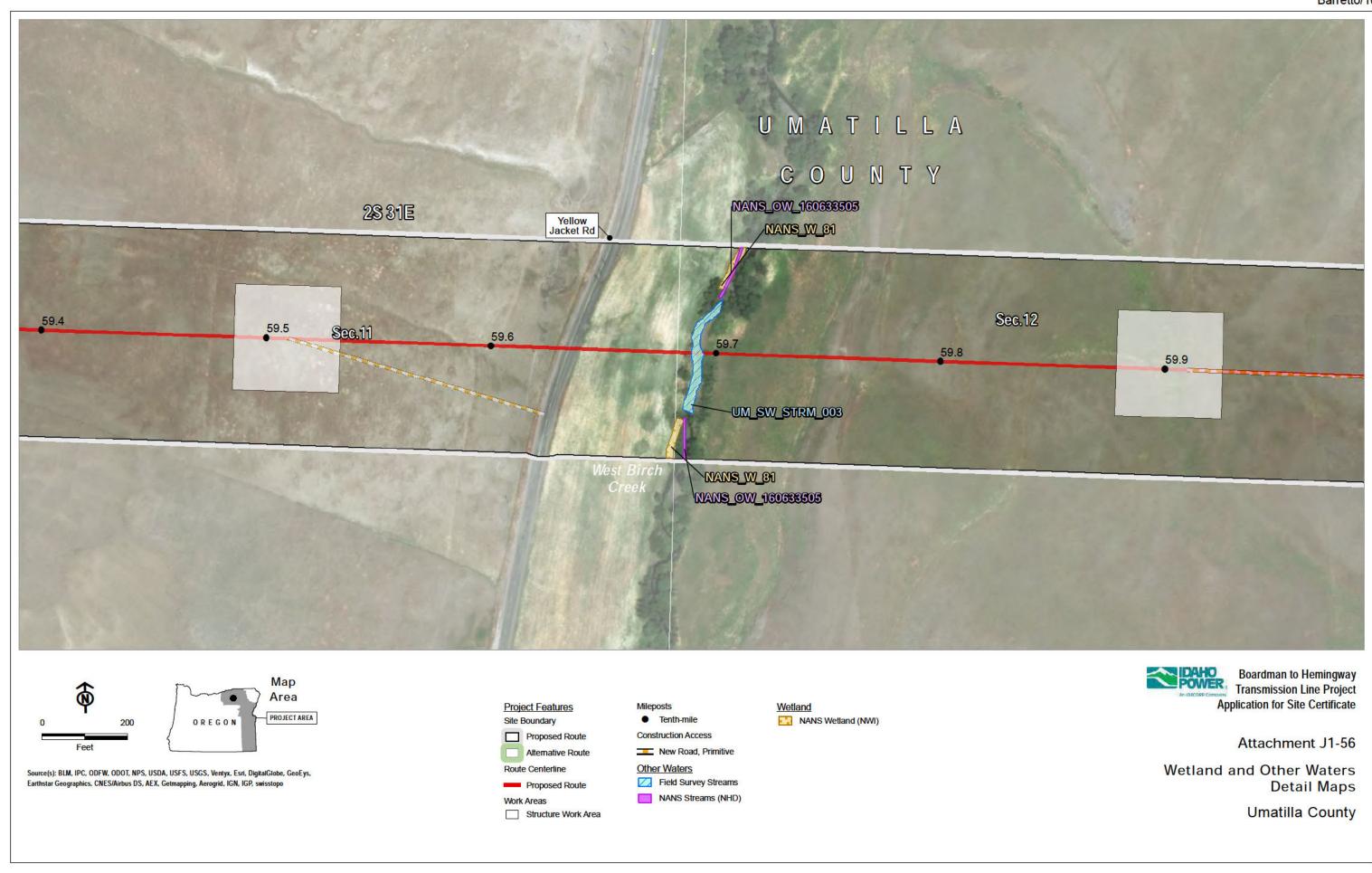
Attachment J1-51 Wetland and Other Waters Detail Maps **Umatilla County** 

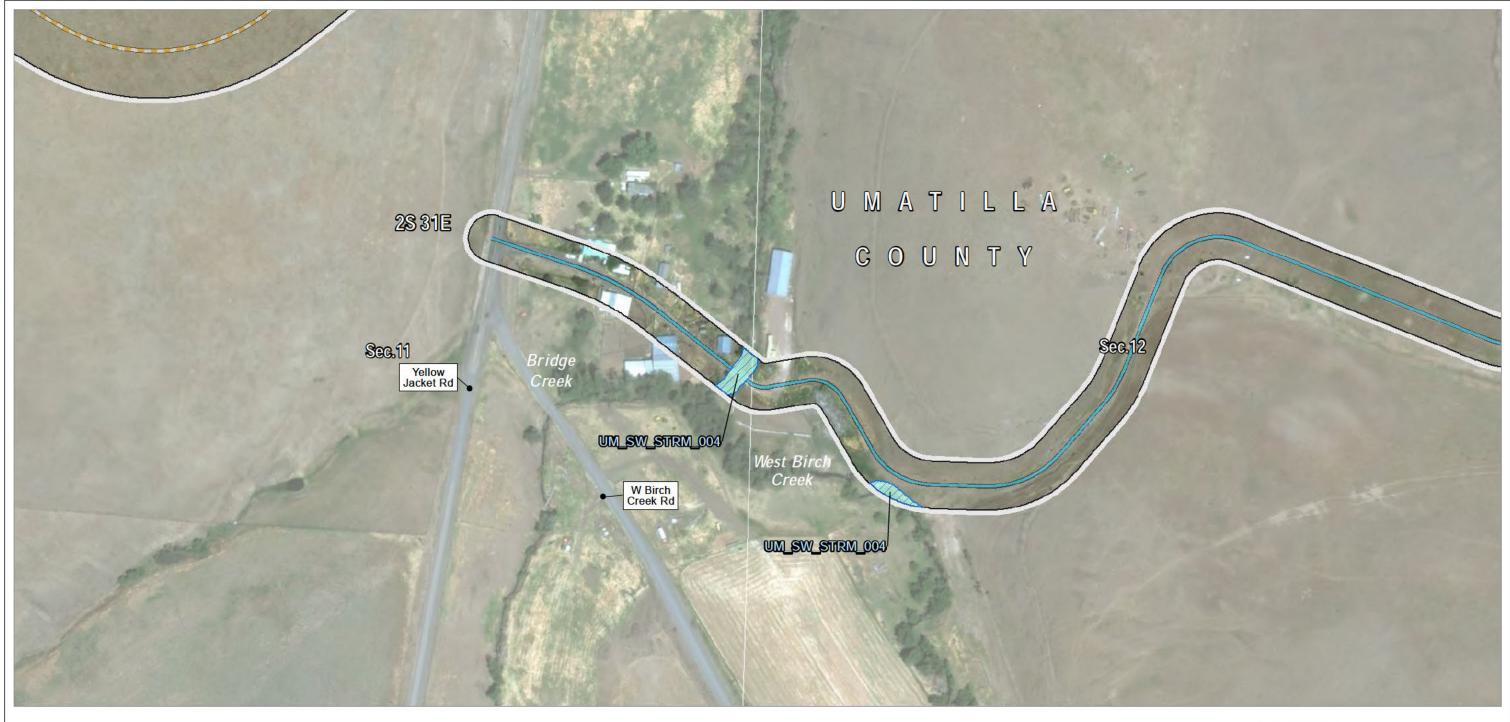














Project Features
Site Boundary

Other Waters

□ Proposed Route
□ Alternative Route

New Road, Primitive

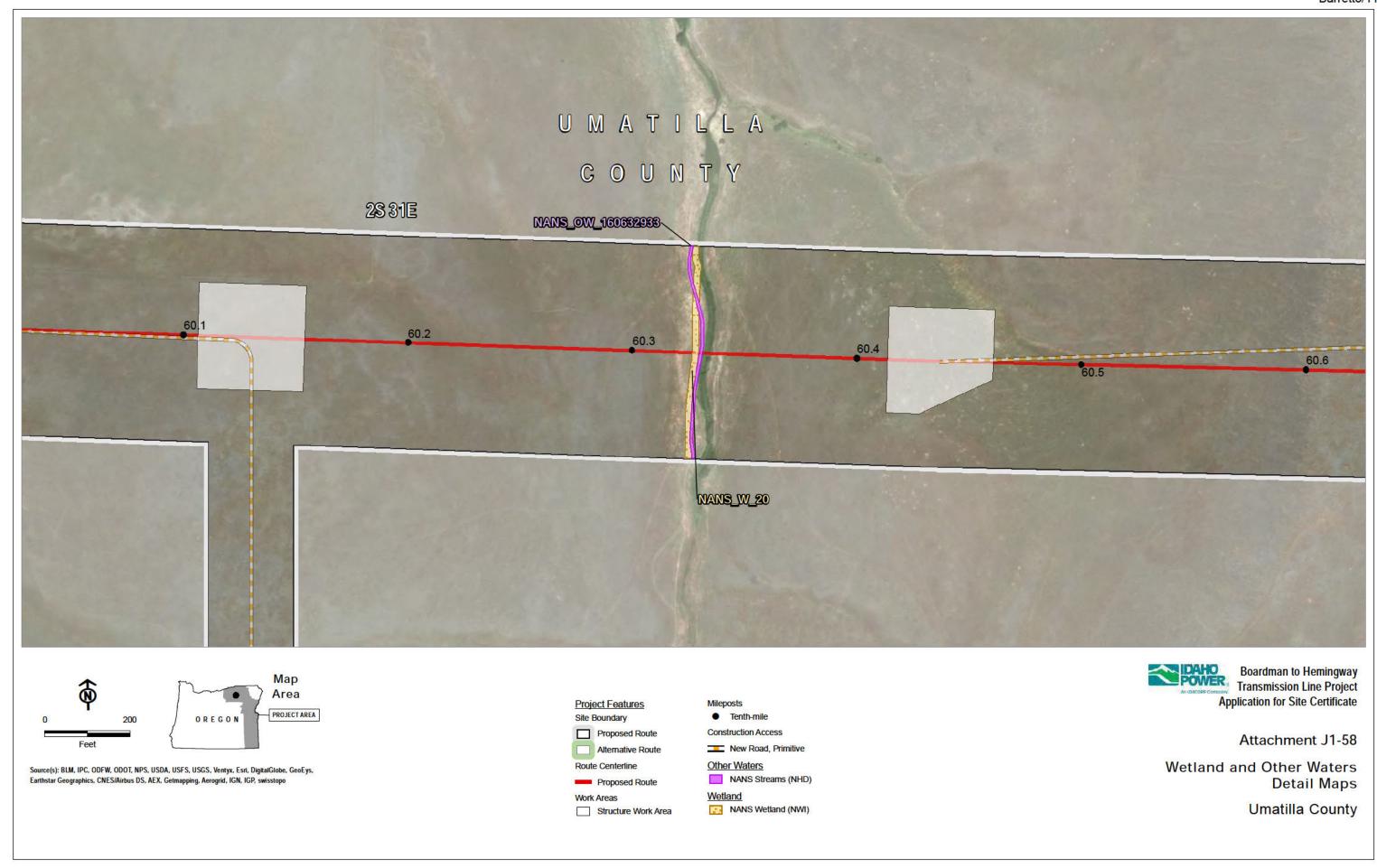
Other Waters
□ Field Survey Streams

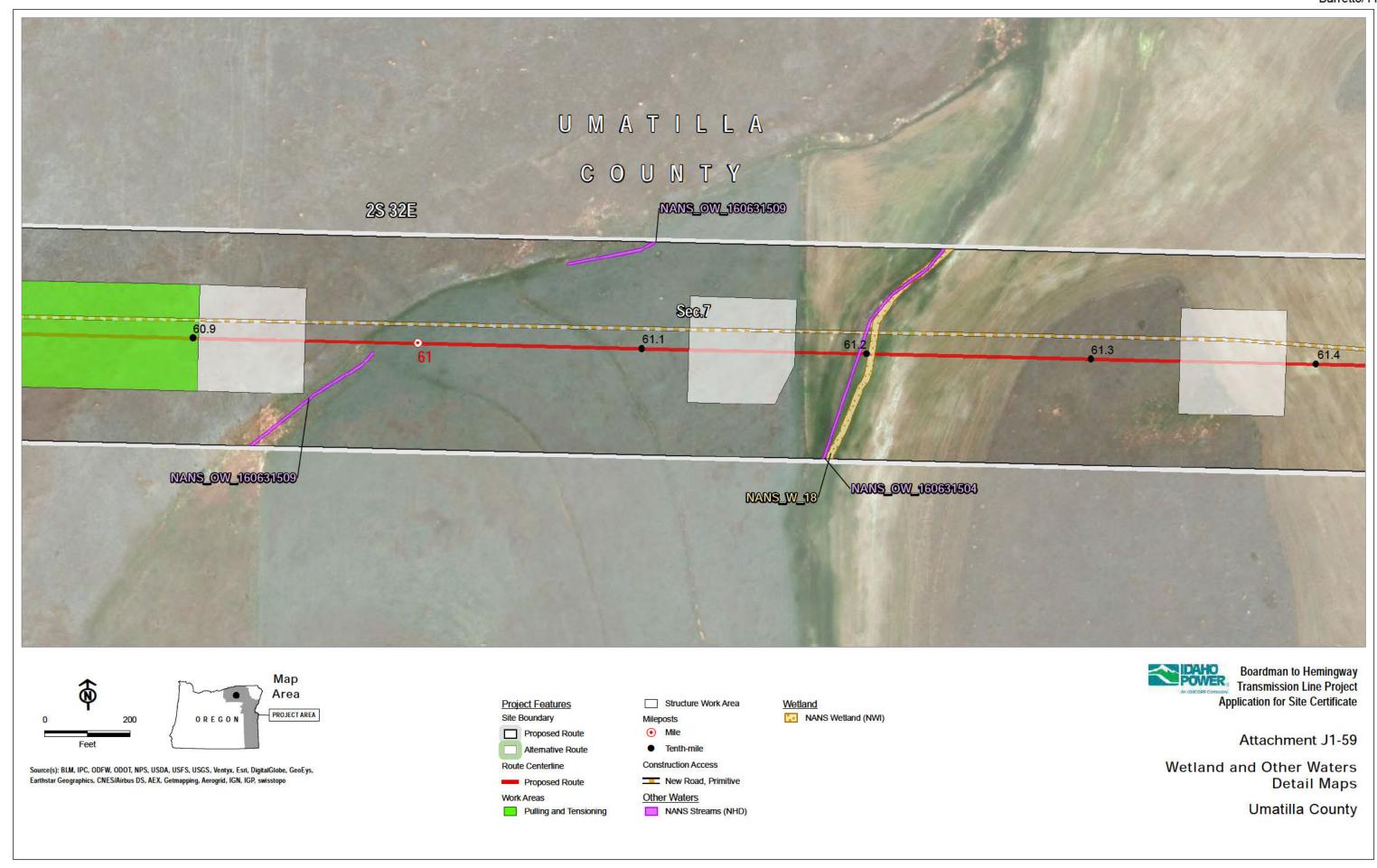
Construction Access

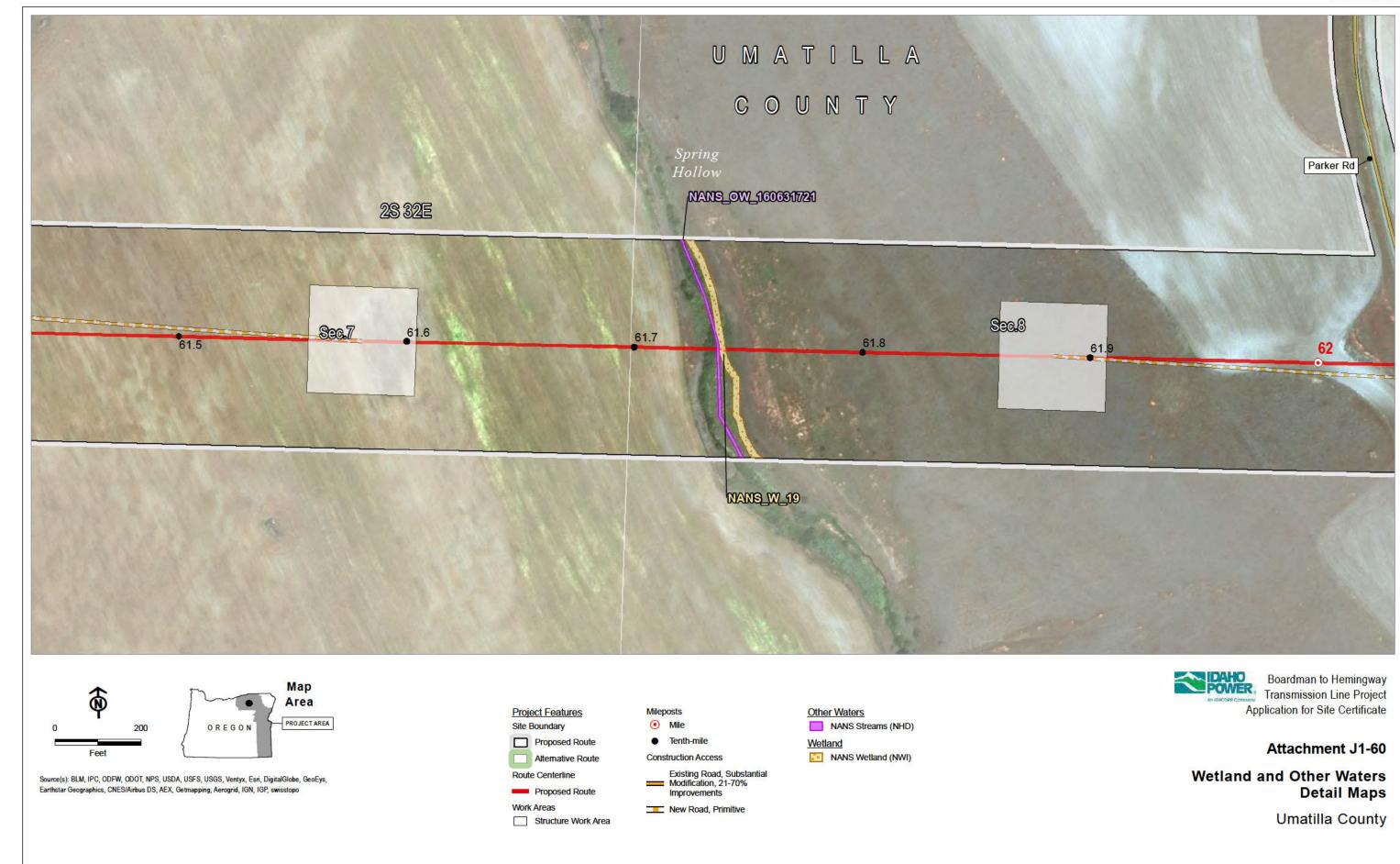
Existing Road, Substantial
Modification, 71-100%
Improvements

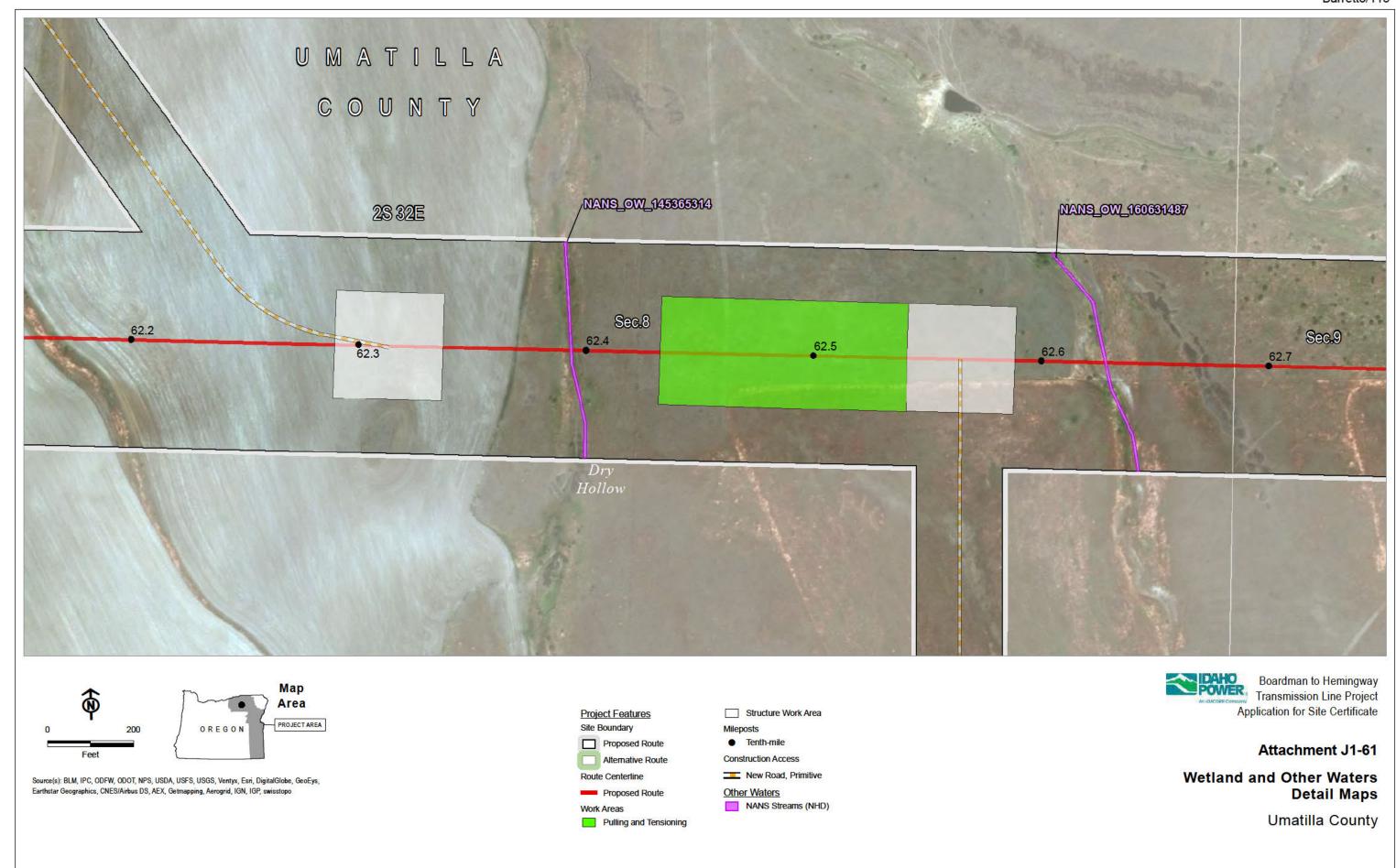
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

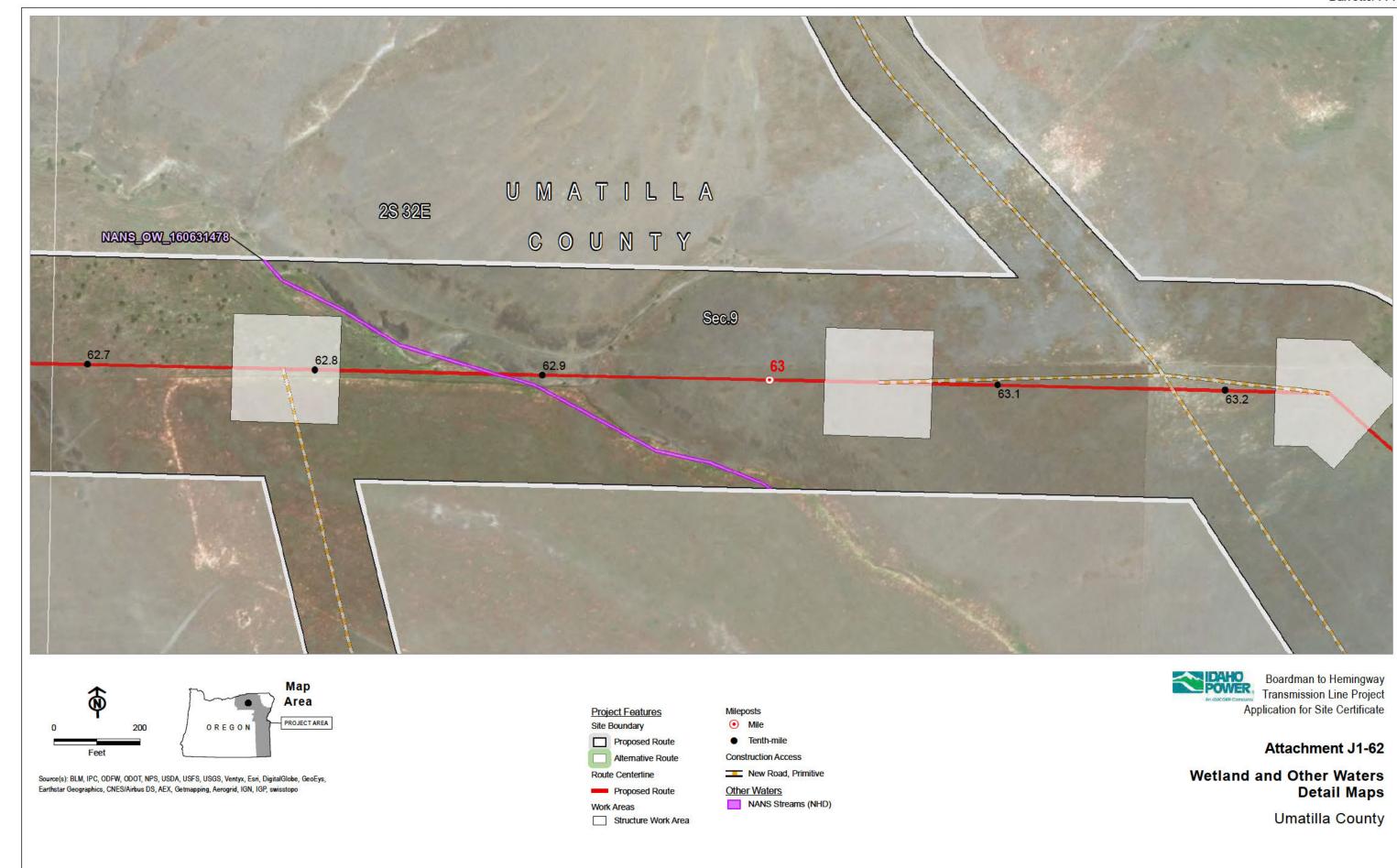
Attachment J1-57
Wetland and Other Waters
Detail Maps
Umatilla County

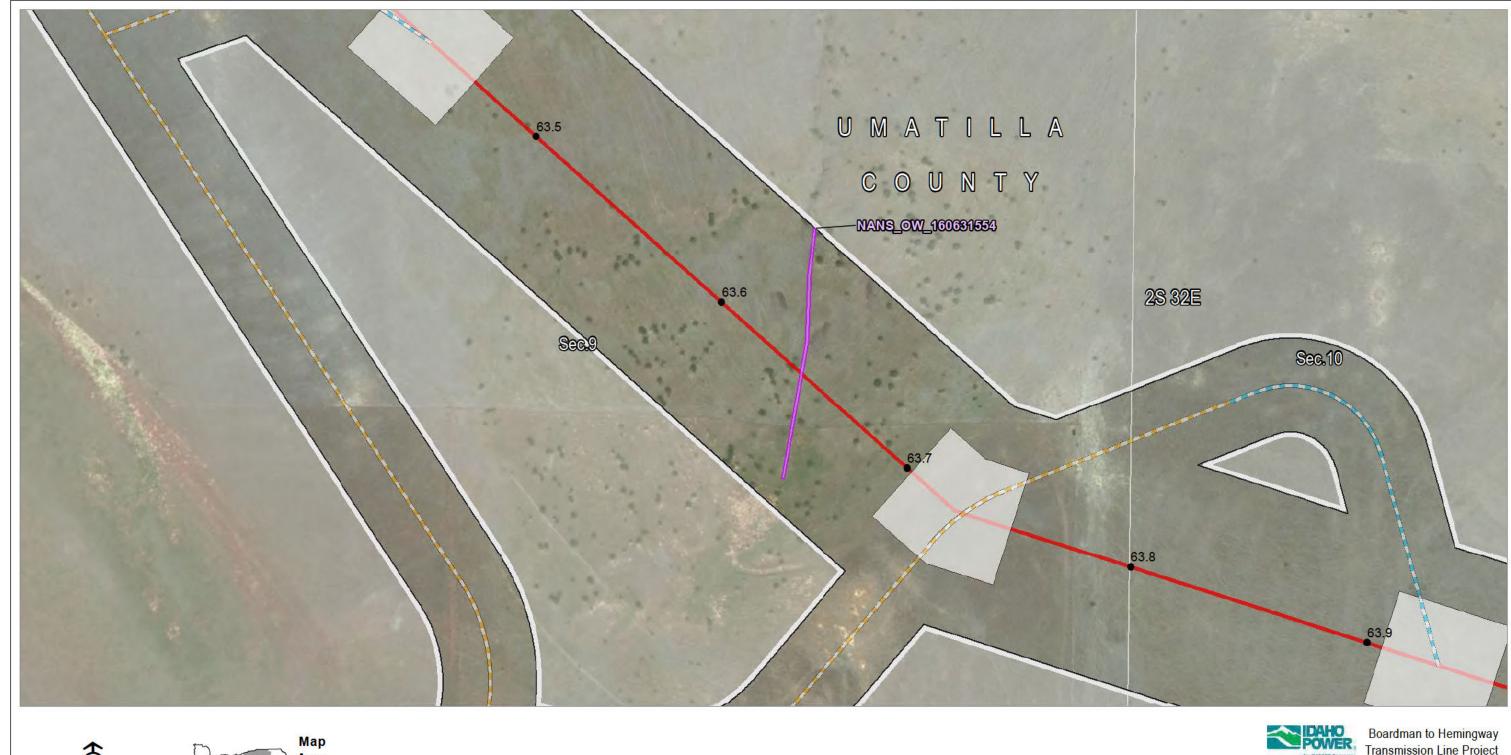














Project Features Mileposts Site Boundary Tenth-mile Construction Access ☐ Proposed Route Alternative Route New Road, Bladed New Road, Primitive Route Centerline Proposed Route Other Waters NANS Streams (NHD)

Work Areas

Structure Work Area

Transmission Line Project Application for Site Certificate

Attachment J1-63

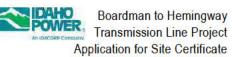
**Wetland and Other Waters Detail Maps** 



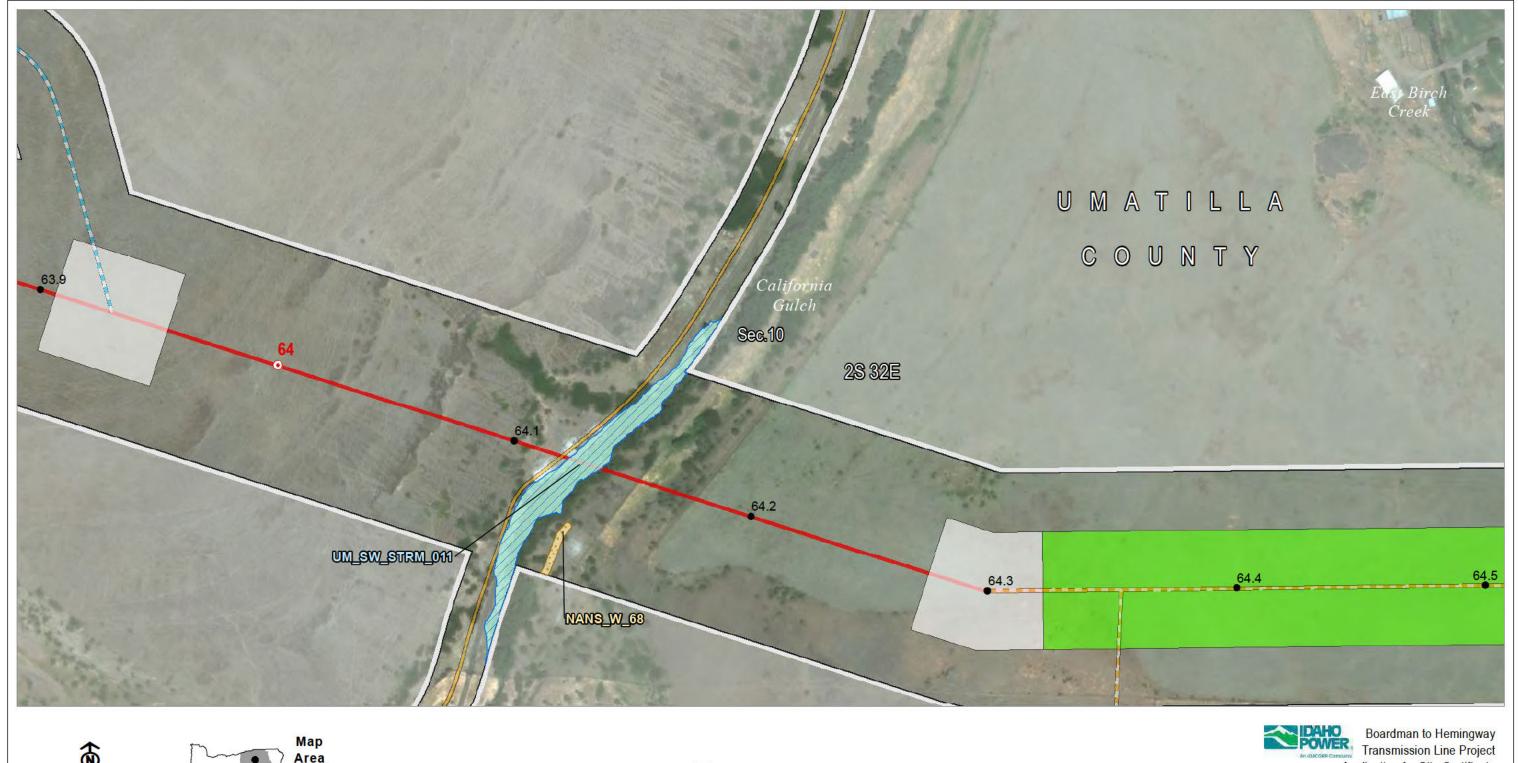




Other Waters
Field Survey Streams



Attachment J1-64
Wetland and Other Waters
Detail Maps





Project Features Site Boundary

Proposed Route

Alternative Route

Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area

Mileposts Mile

Tenth-mile

Construction Access Existing Road, Substantial
Modification, 21-70%
Improvements New Road, Bladed

New Road, Primitive Other Waters

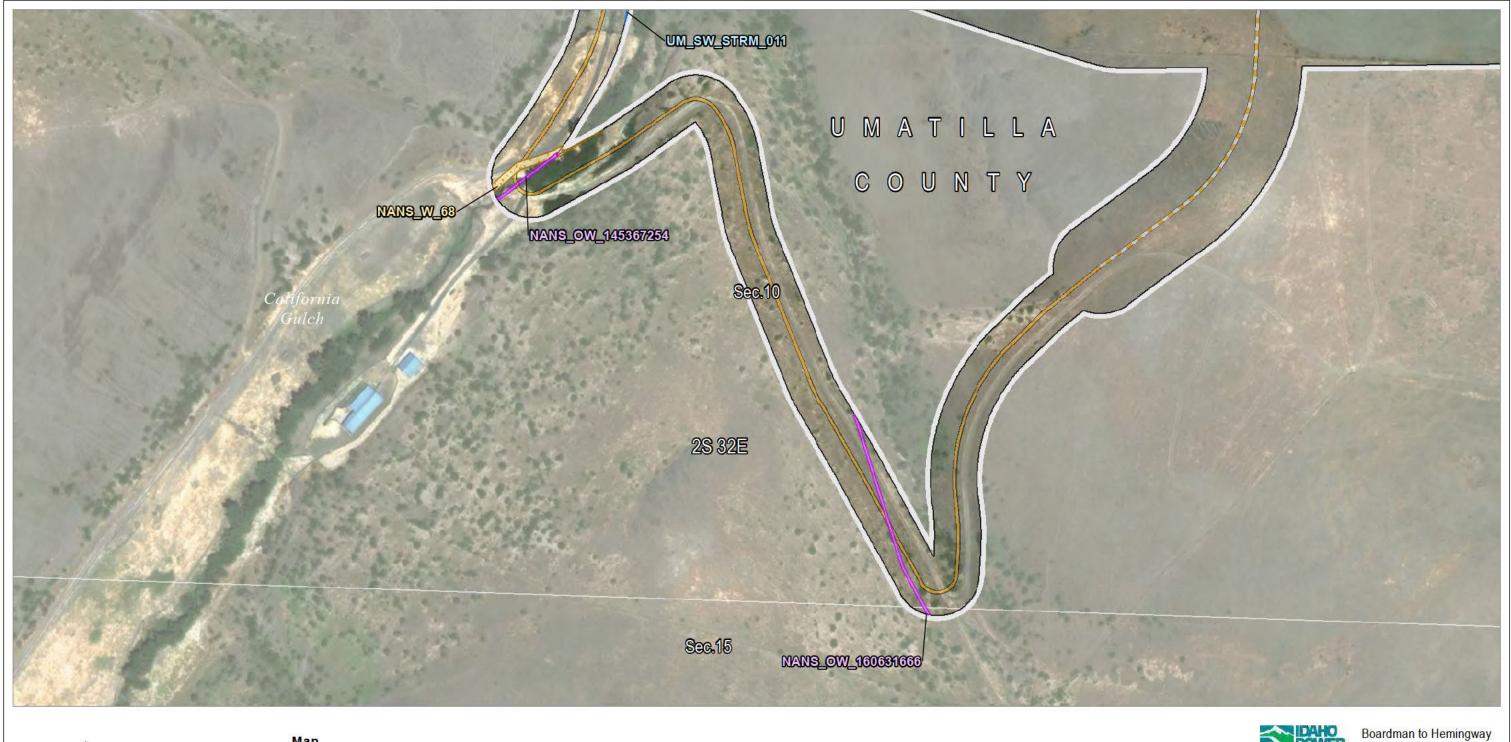
✓ Field Survey Streams Wetland

NANS Wetland (NWI)

Application for Site Certificate

Attachment J1-65

**Wetland and Other Waters Detail Maps** 



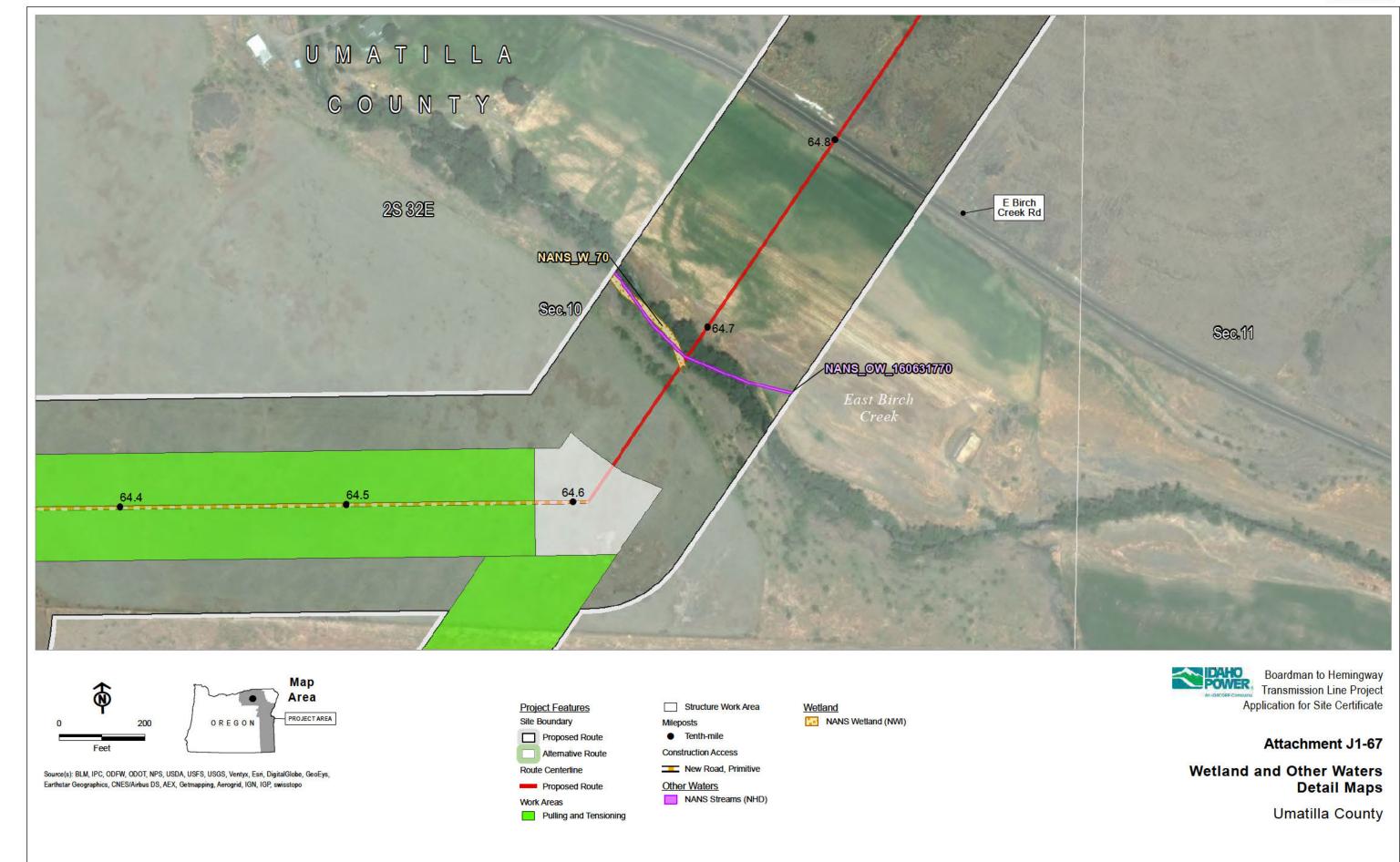


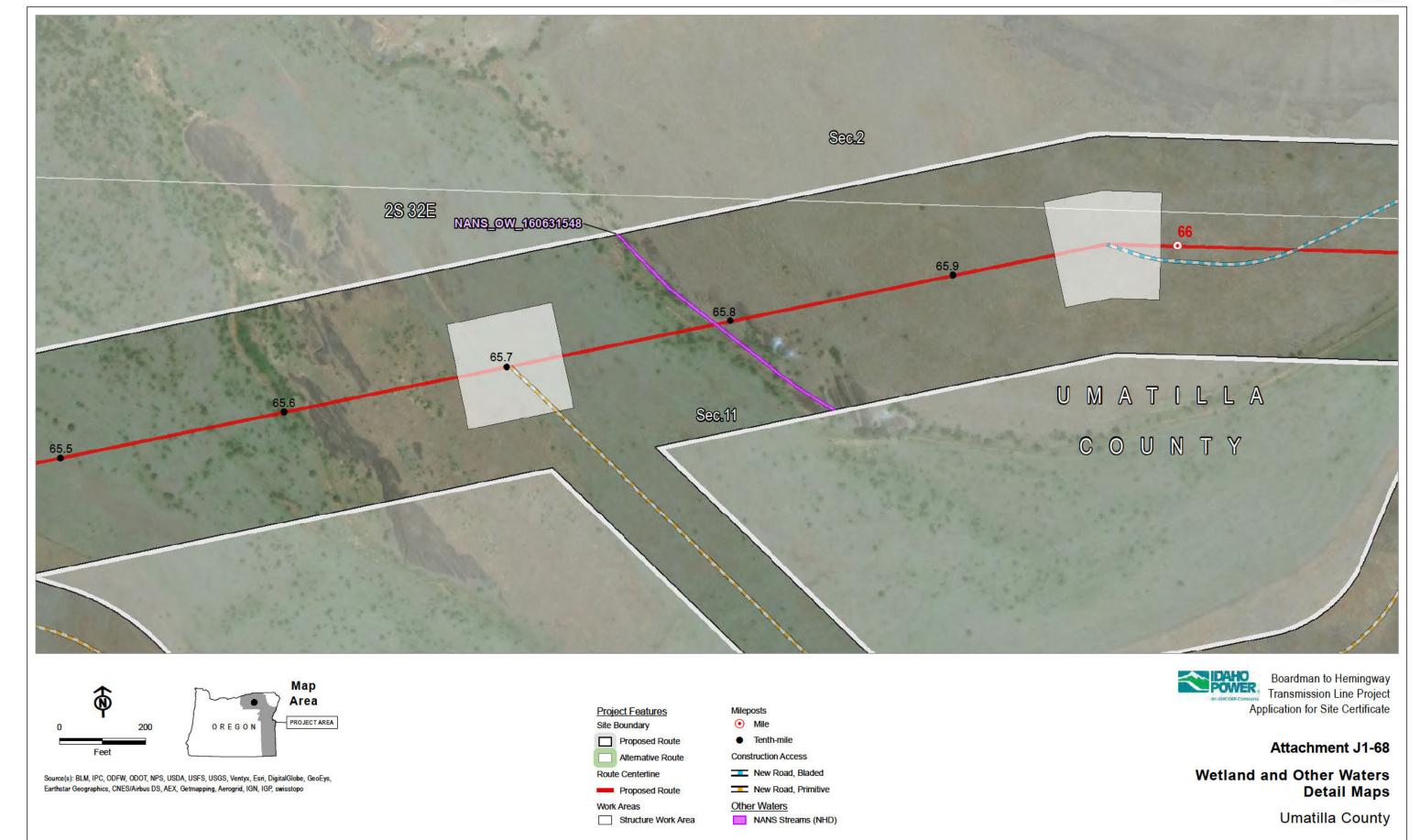
Project Features
Site Boundary
Other Waters
Proposed Route
Alternative Route
Construction Access
Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive
Other Waters
Field Survey Streams
NANS Streams (NHD)
Wetland
NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-66
Wetland and Other Waters
Detail Maps

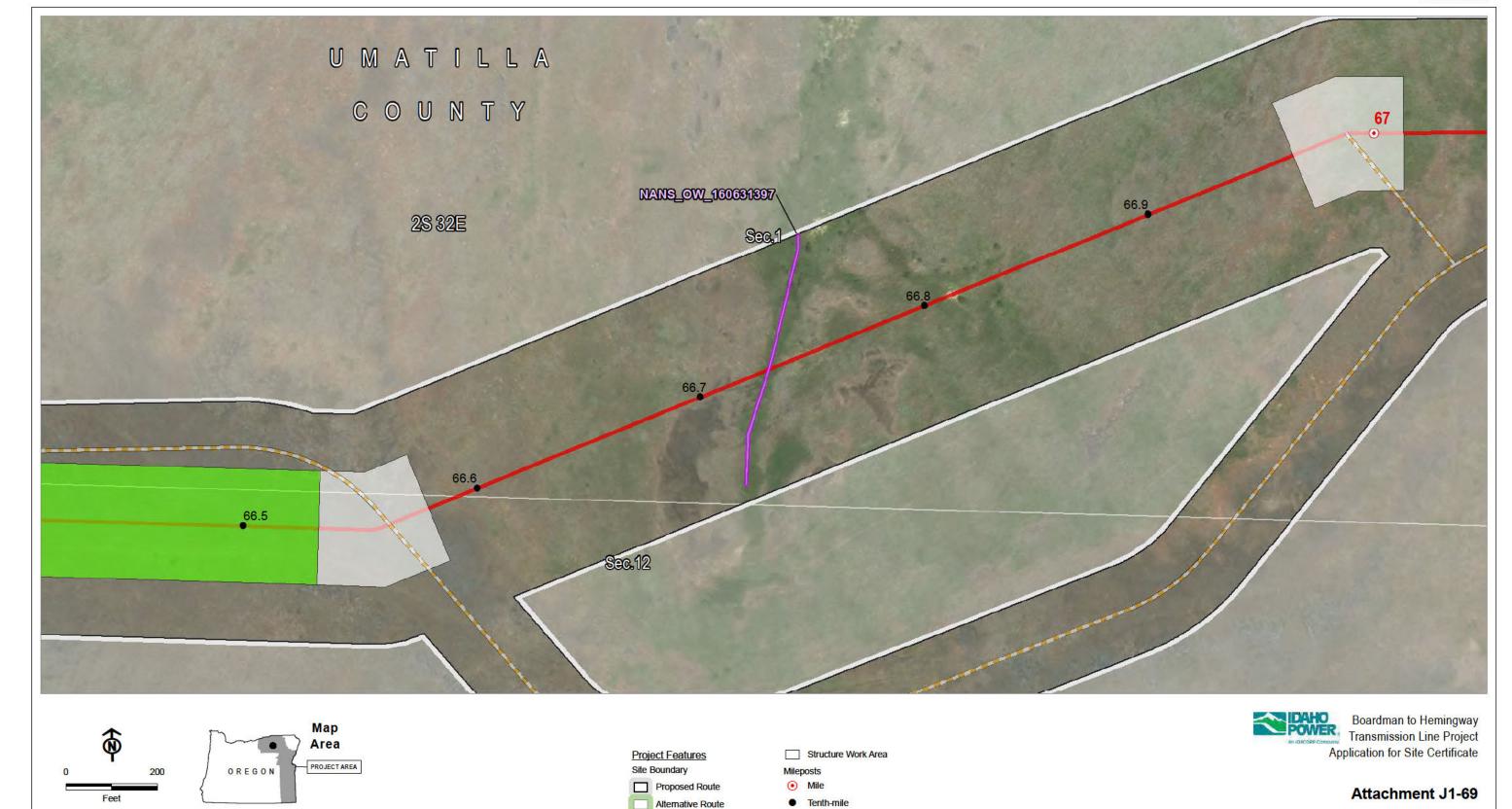




**Wetland and Other Waters** 

**Detail Maps** 

**Umatilla County** 



Construction Access

Other Waters

New Road, Primitive

NANS Streams (NHD)

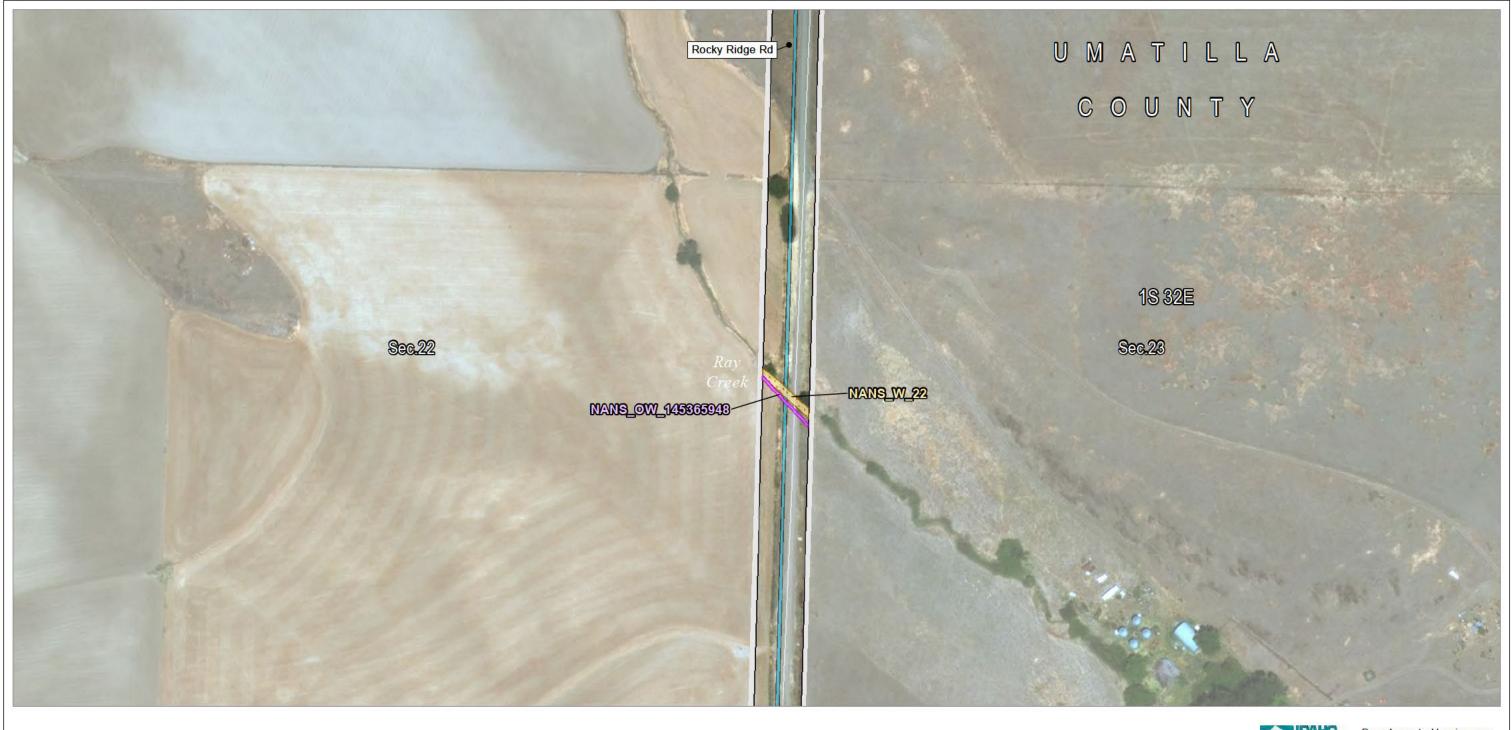
Route Centerline

Work Areas

Proposed Route

Pulling and Tensioning

Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo





Project Features
Site Boundary
Proposed Route
Alternative Route

Existing Road, Substantial
Modification, 71-100%
Improvements

Construction Access

Other Waters

NANS Streams (NHD)

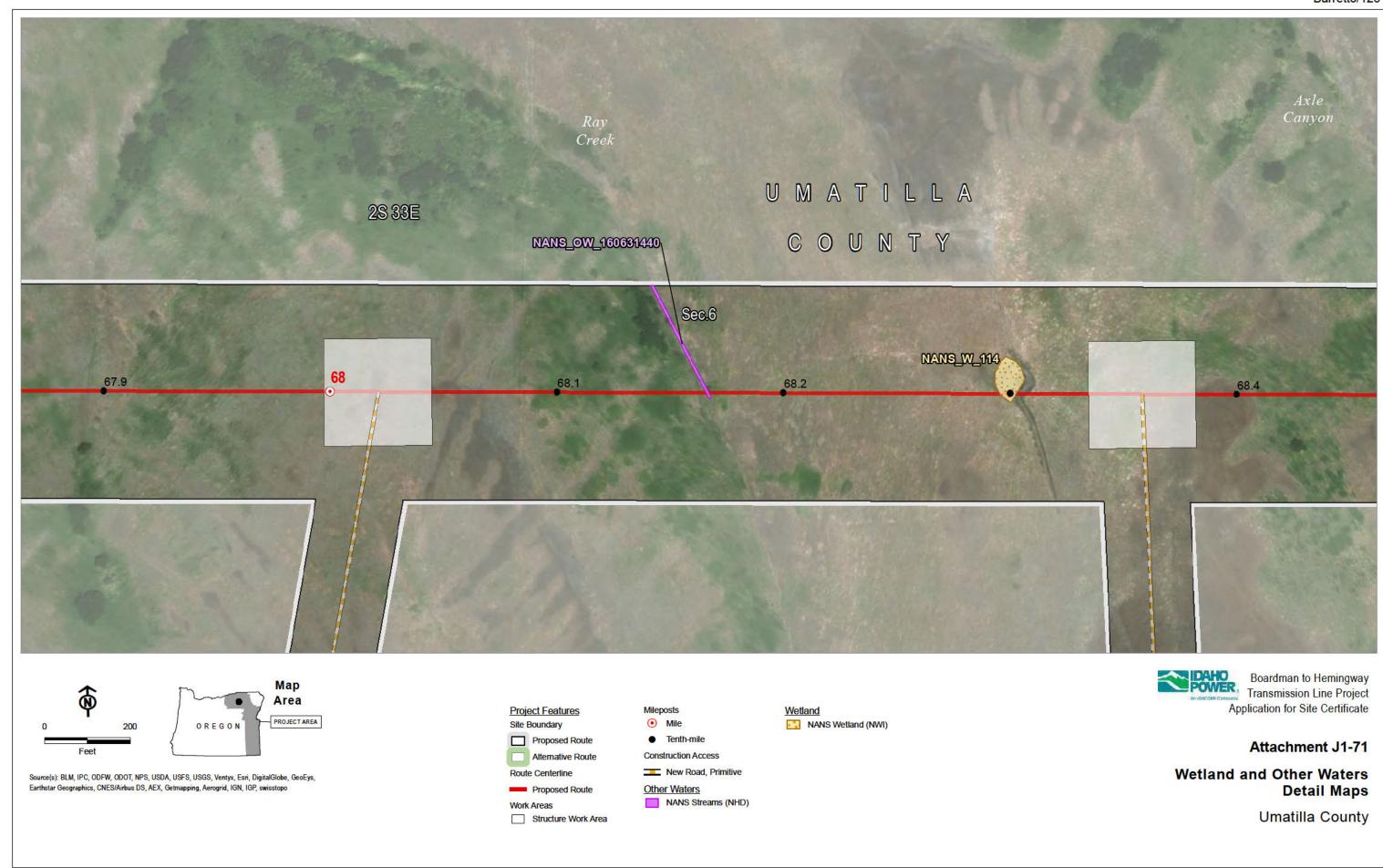
Wetland

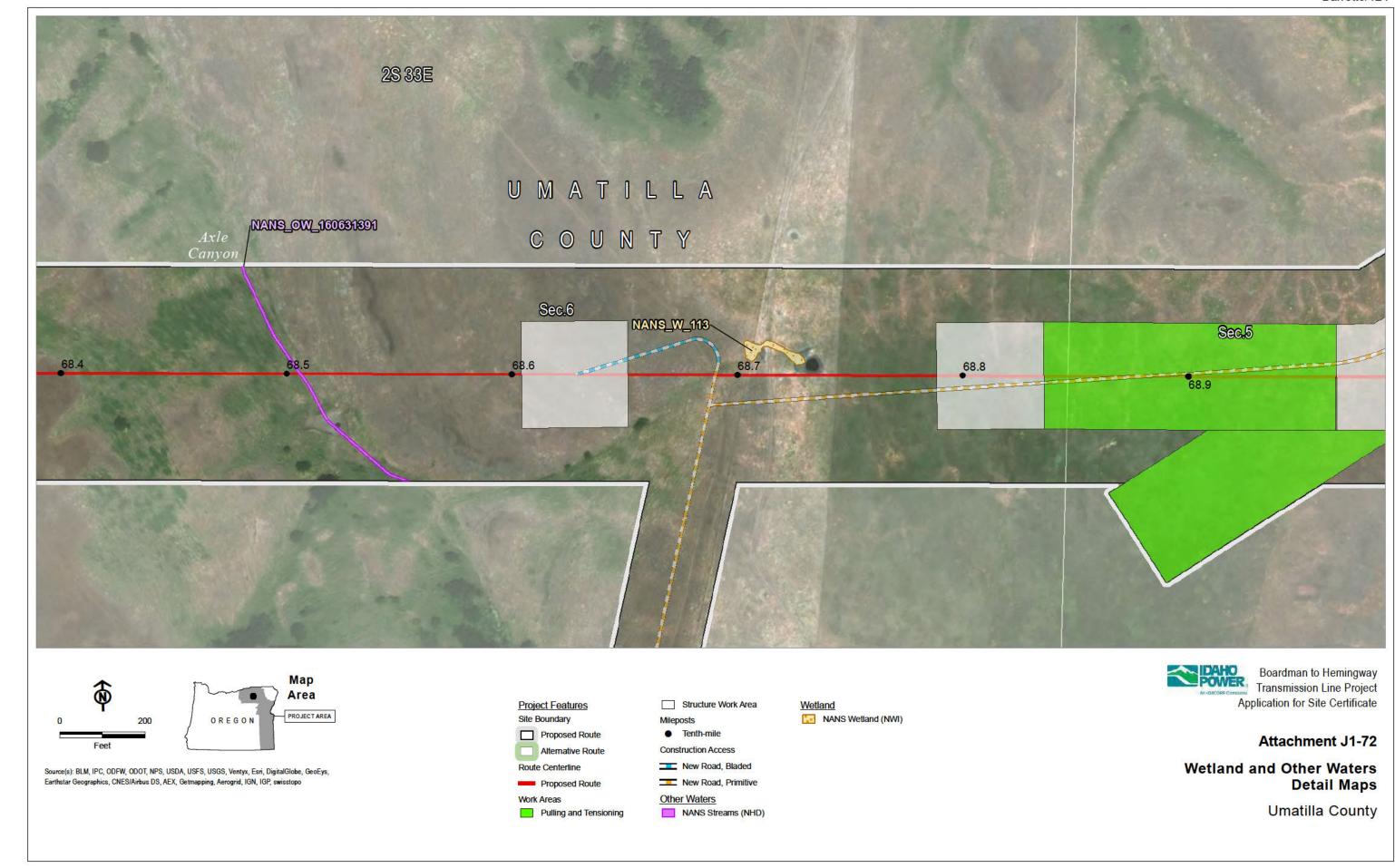
NANS Wetland (NWI)

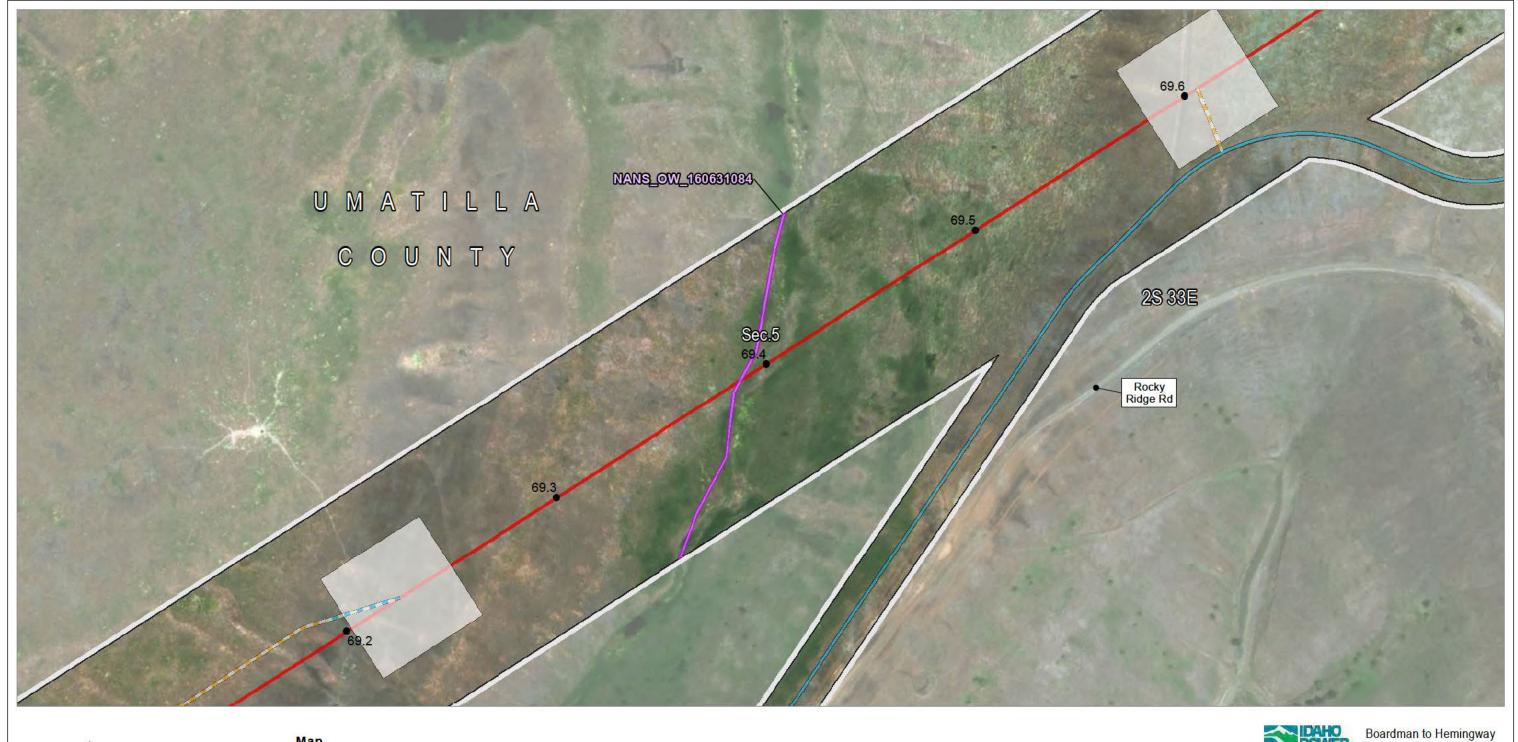
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-70

Wetland and Other Waters Detail Maps

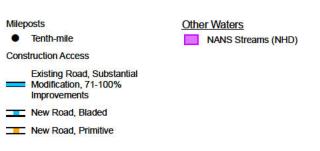








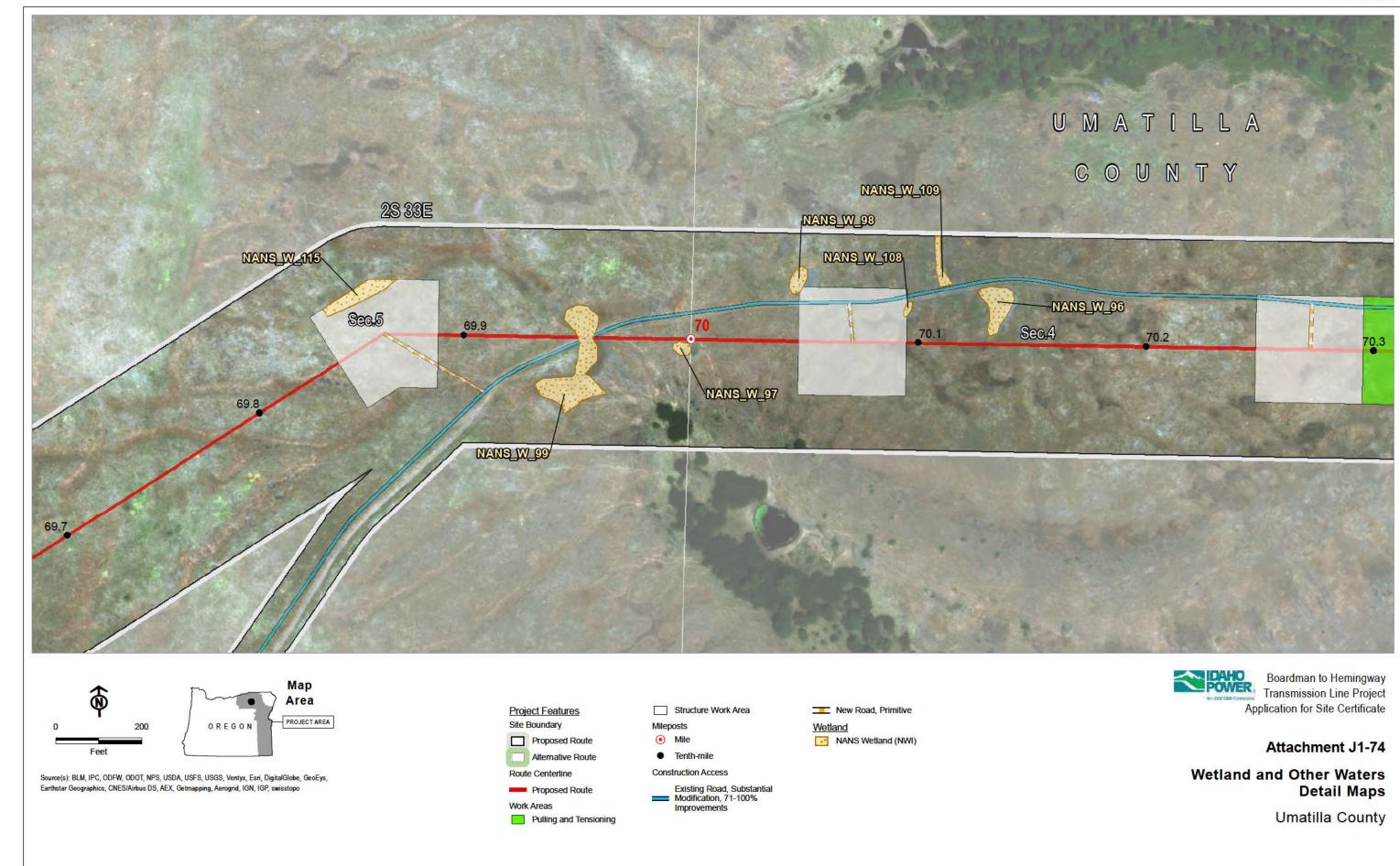


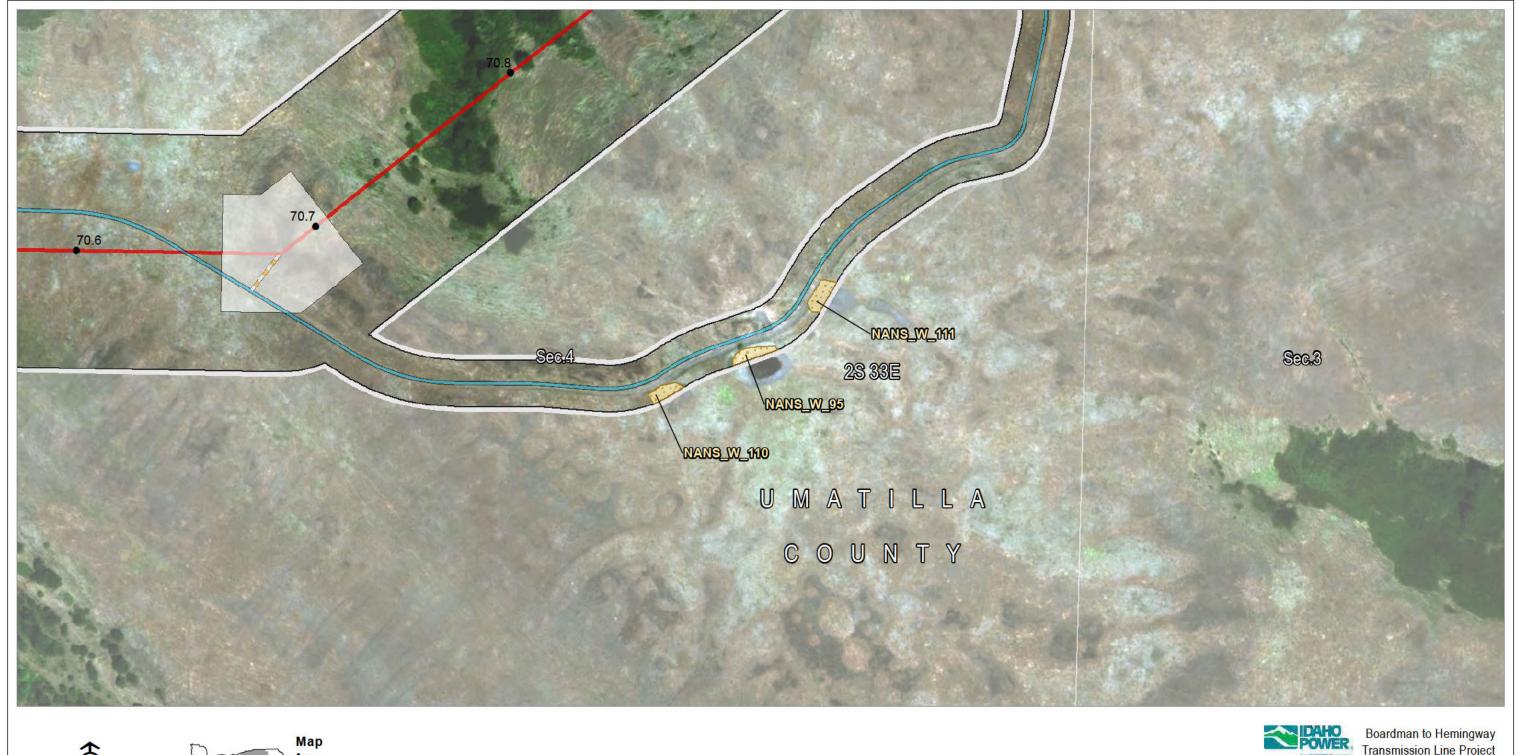


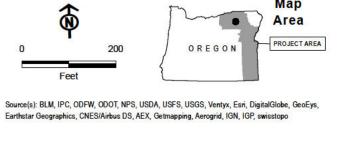
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-73

Wetland and Other Waters Detail Maps



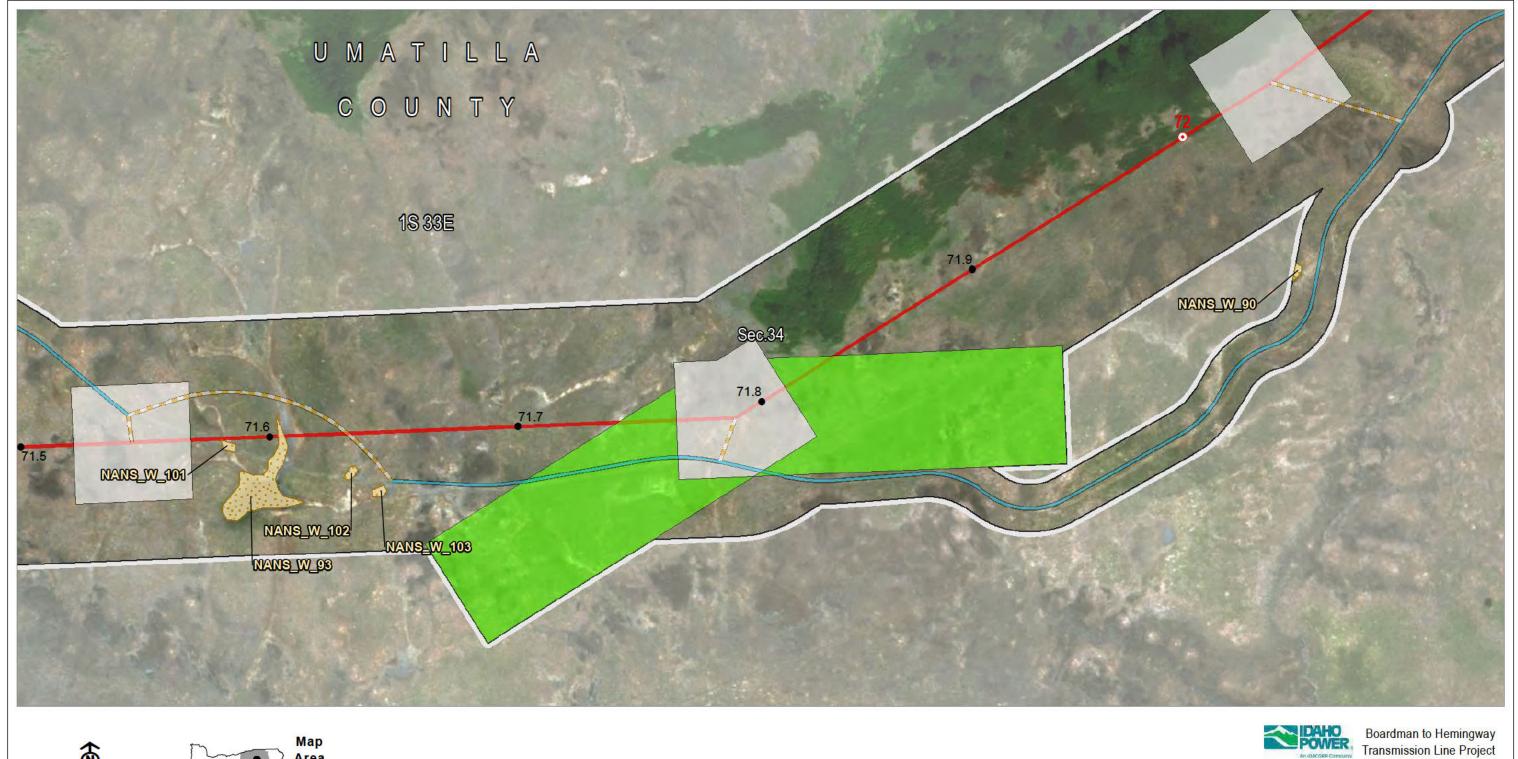






Transmission Line Project Application for Site Certificate

Attachment J1-75 **Wetland and Other Waters Detail Maps** 





Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area

Mileposts Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 71-100%
Improvements

New Road, Primitive

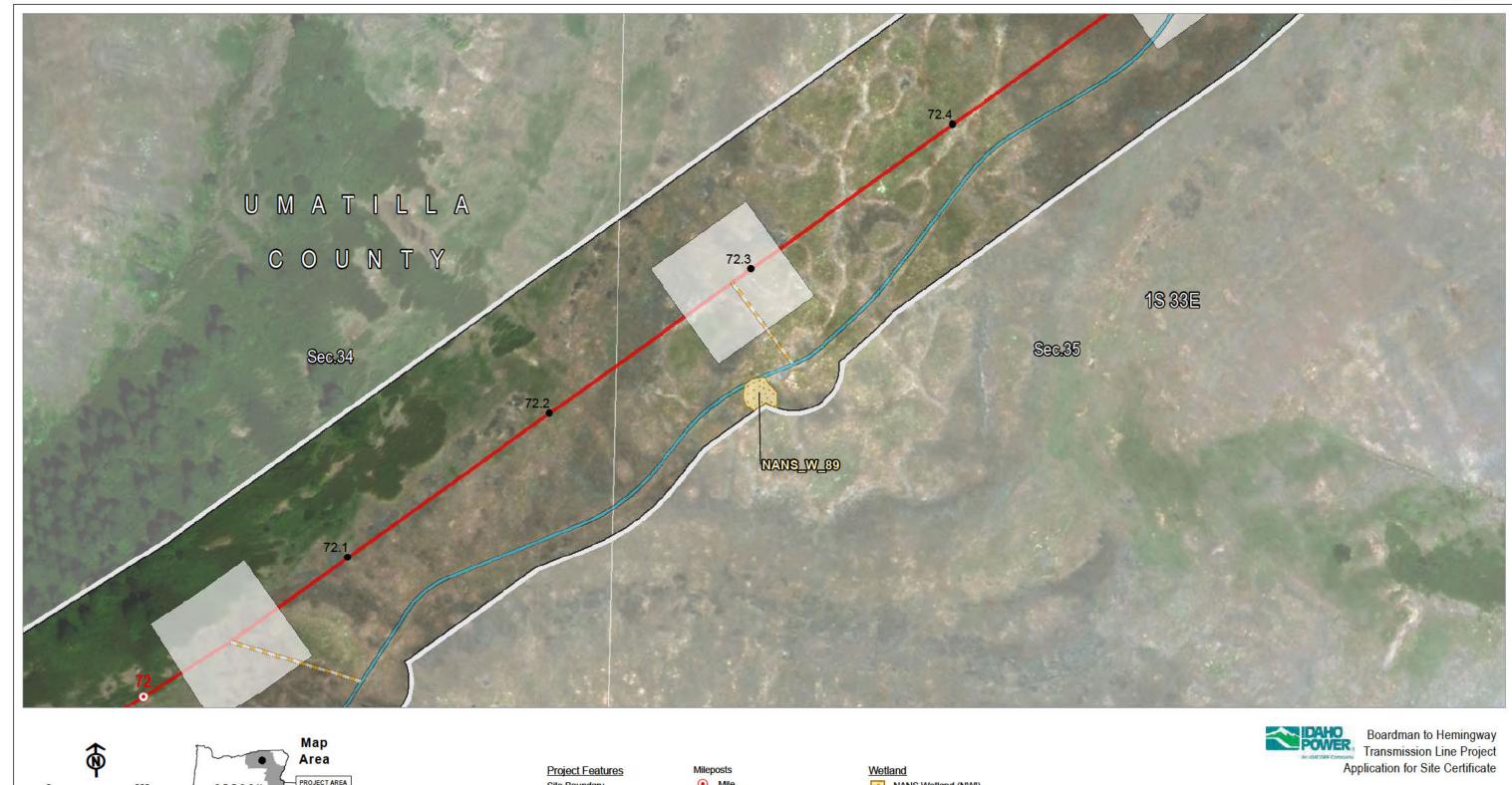
Wetland

NANS Wetland (NWI)



Attachment J1-76

**Wetland and Other Waters Detail Maps** 





Site Boundary Proposed Route Alternative Route Route Centerline

Proposed Route Work Areas Structure Work Area

Tenth-mile

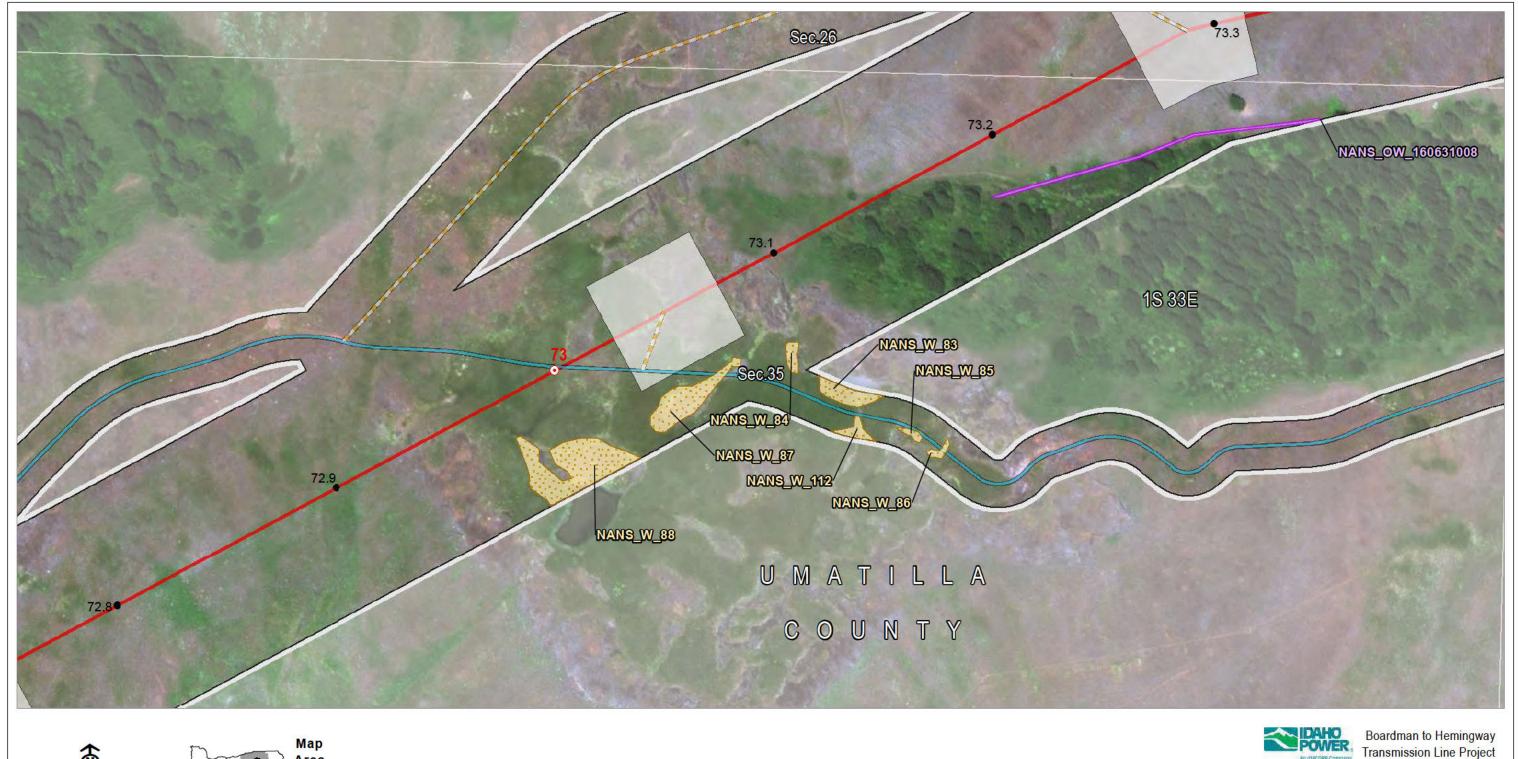
Construction Access Existing Road, Substantial Modification, 71-100% Improvements

New Road, Primitive

NANS Wetland (NWI)

Attachment J1-77

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Structure Work Area Mileposts

Mile

Tenth-mile

Construction Access Existing Road, Substantial Modification, 71-100%

Improvements New Road, Primitive Other Waters

NANS Streams (NHD)

Wetland

NANS Wetland (NWI)

Transmission Line Project Application for Site Certificate

**Attachment J1-78** 

**Wetland and Other Waters Detail Maps** 







Mileposts Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route New Road, Primitive Work Areas Structure Work Area

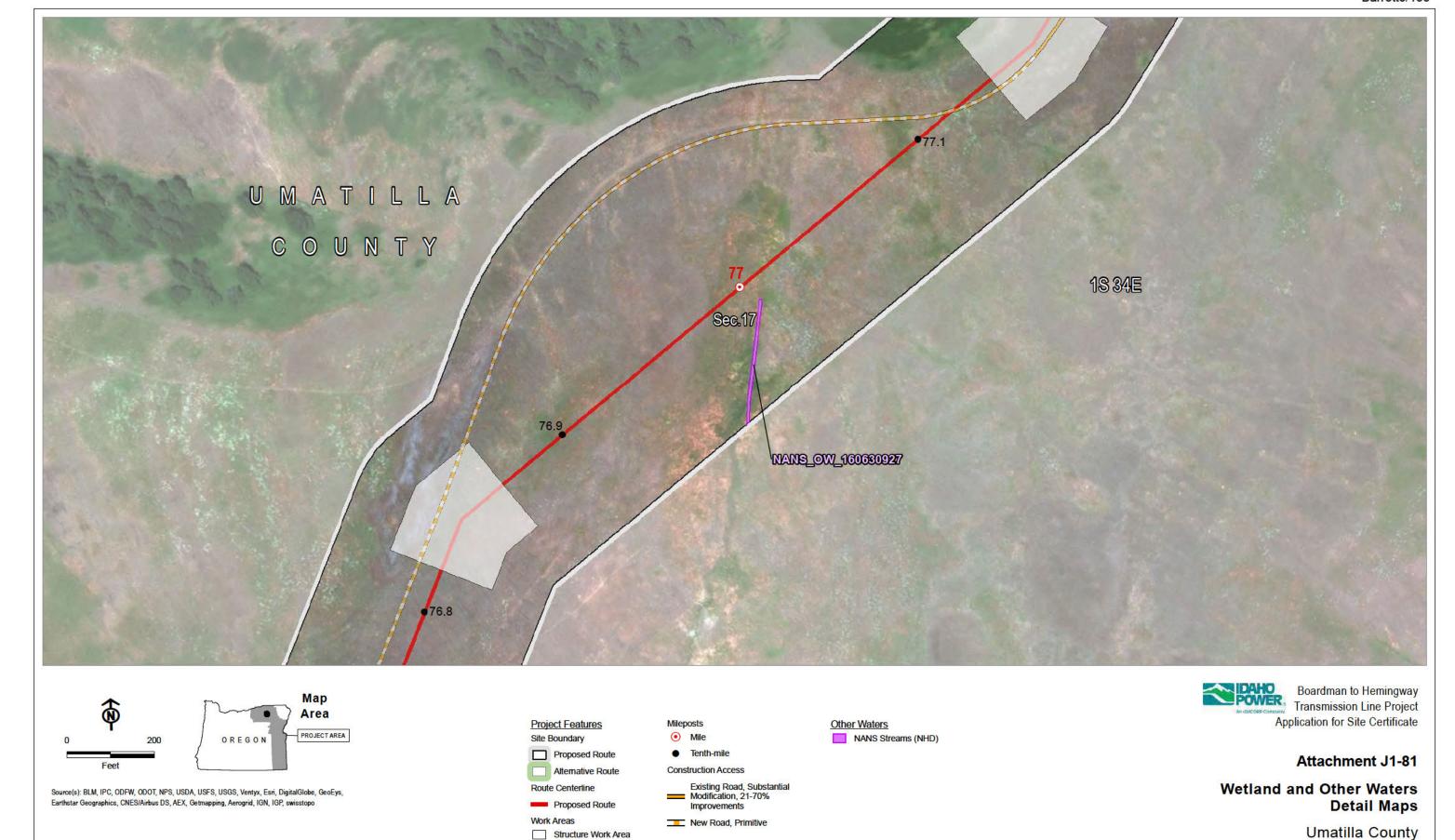
 Tenth-mile Construction Access Existing Road, Substantial Modification, 21-70% Improvements

Other Waters NANS Streams (NHD) Wetland NANS Wetland (NWI)

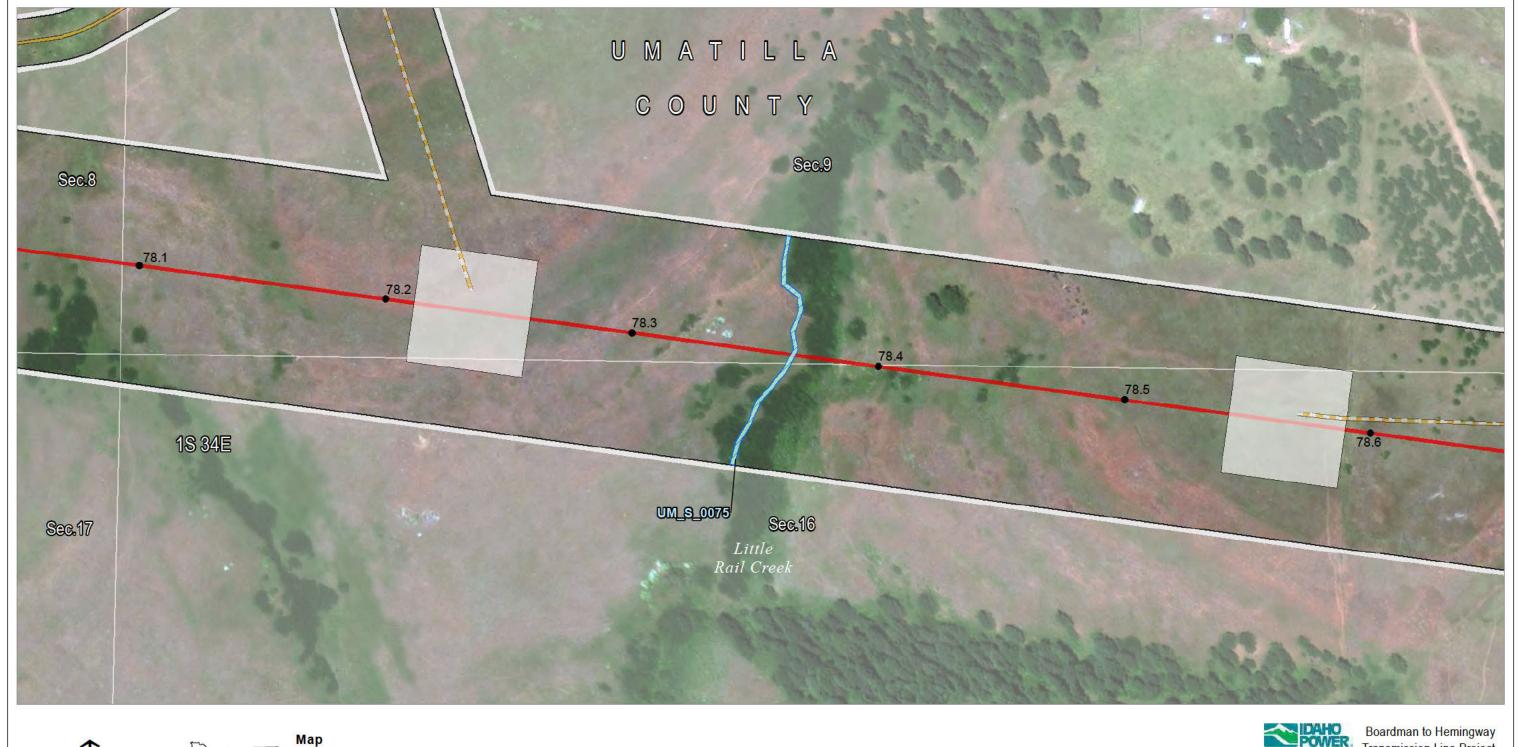
Transmission Line Project Application for Site Certificate

Attachment J1-80

**Wetland and Other Waters Detail Maps** 



Structure Work Area





Site Boundary
Proposed Route
Alternative Route
Route Centerline
Proposed Route
Work Areas
Structure Work Area

Project Features

Mileposts

● Tenth-mile

Construction Access

Existing Road, Substantial

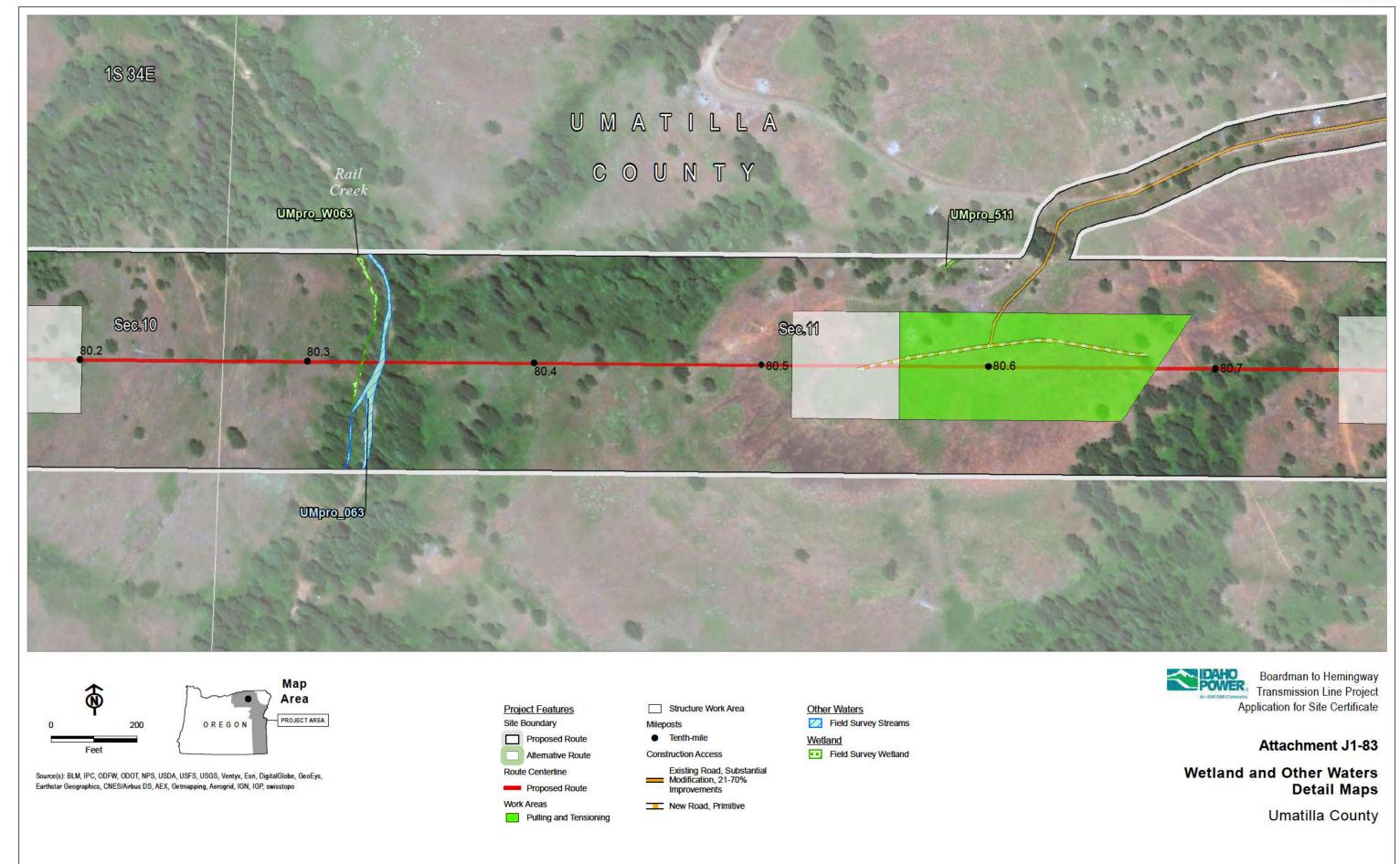
Modification, 21-70%
Improvements

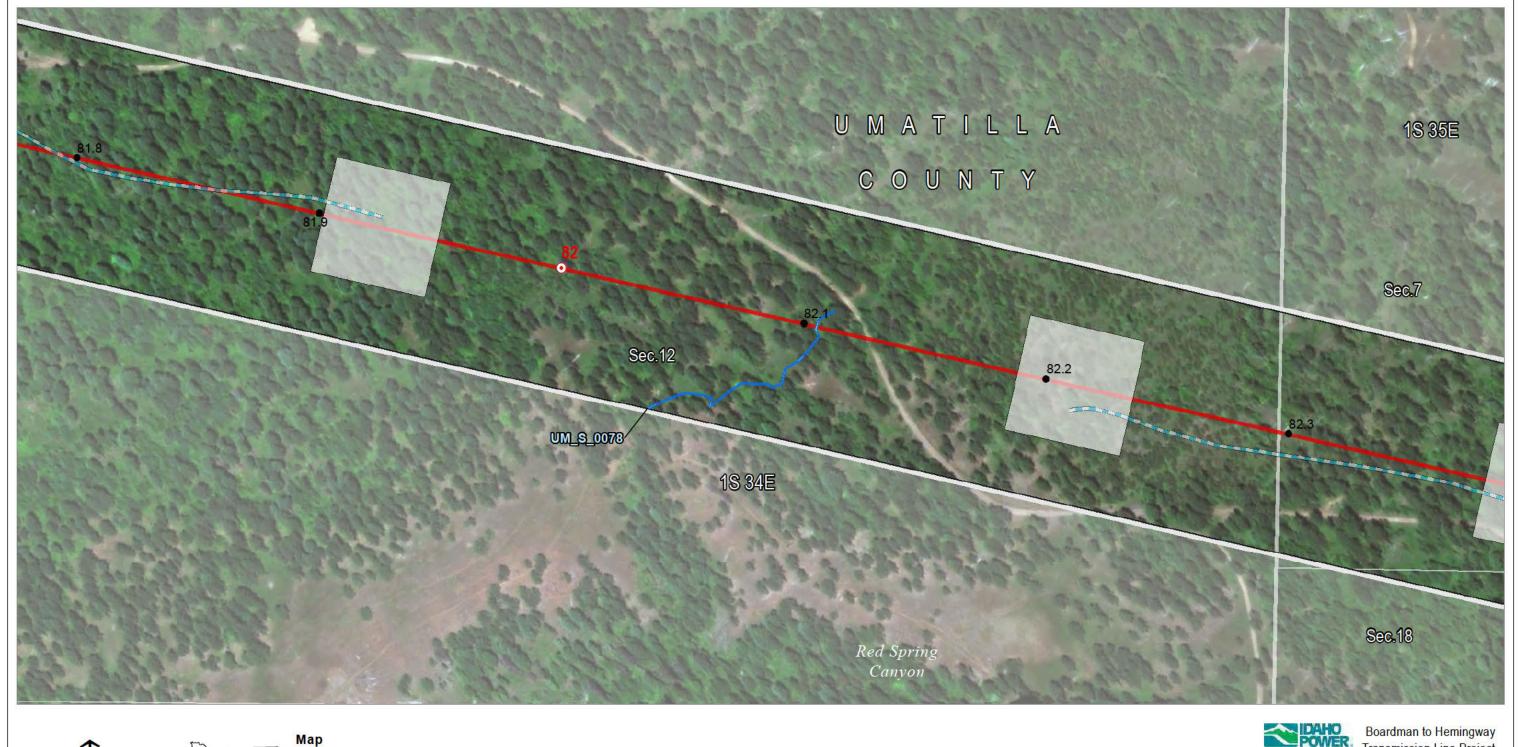
New Road, Primitive

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-82

Wetland and Other Waters Detail Maps







Project Features
Site Boundary

Proposed Route
Alternative Route
Route Centerline

Proposed Route
Work Areas
Structure Work Area

Mileposts

MileTenth-mile

Construction Access

New Road, Bladed

Other Waters
Field Survey Streams

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-84

Wetland and Other Waters Detail Maps





Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline
Proposed Route
Work Areas
Structure Work Area

Mileposts

● Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

Other Waters

Field Survey Streams

Wetland

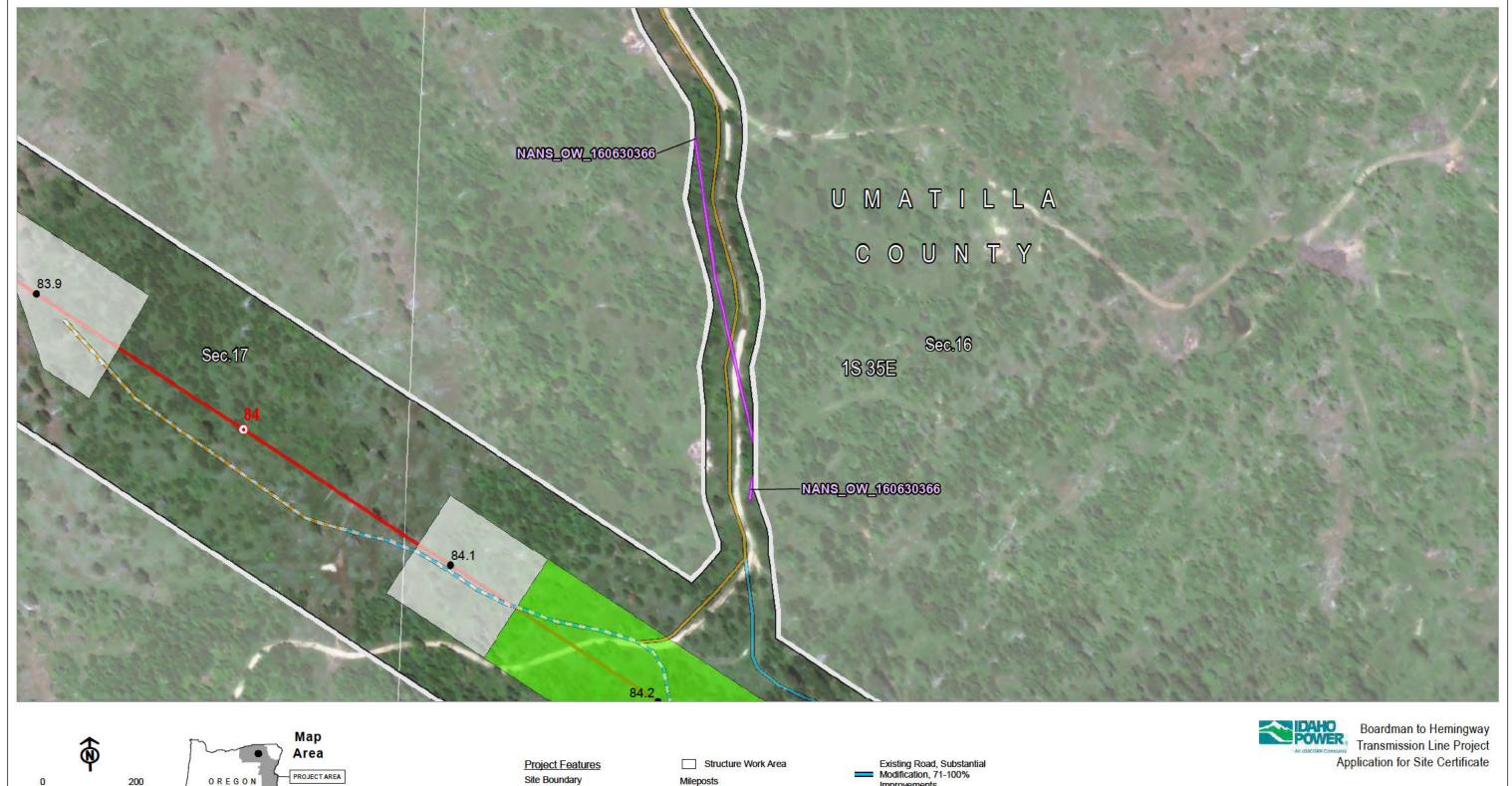
Field Survey Wetland

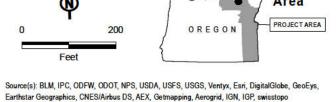
New Road, Bladed

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-85

Wetland and Other Waters Detail Maps





Alternative Route Route Centerline Proposed Route

> Work Areas Pulling and Tensioning

Proposed Route

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

New Road, Primitive Other Waters

NANS Streams (NHD)

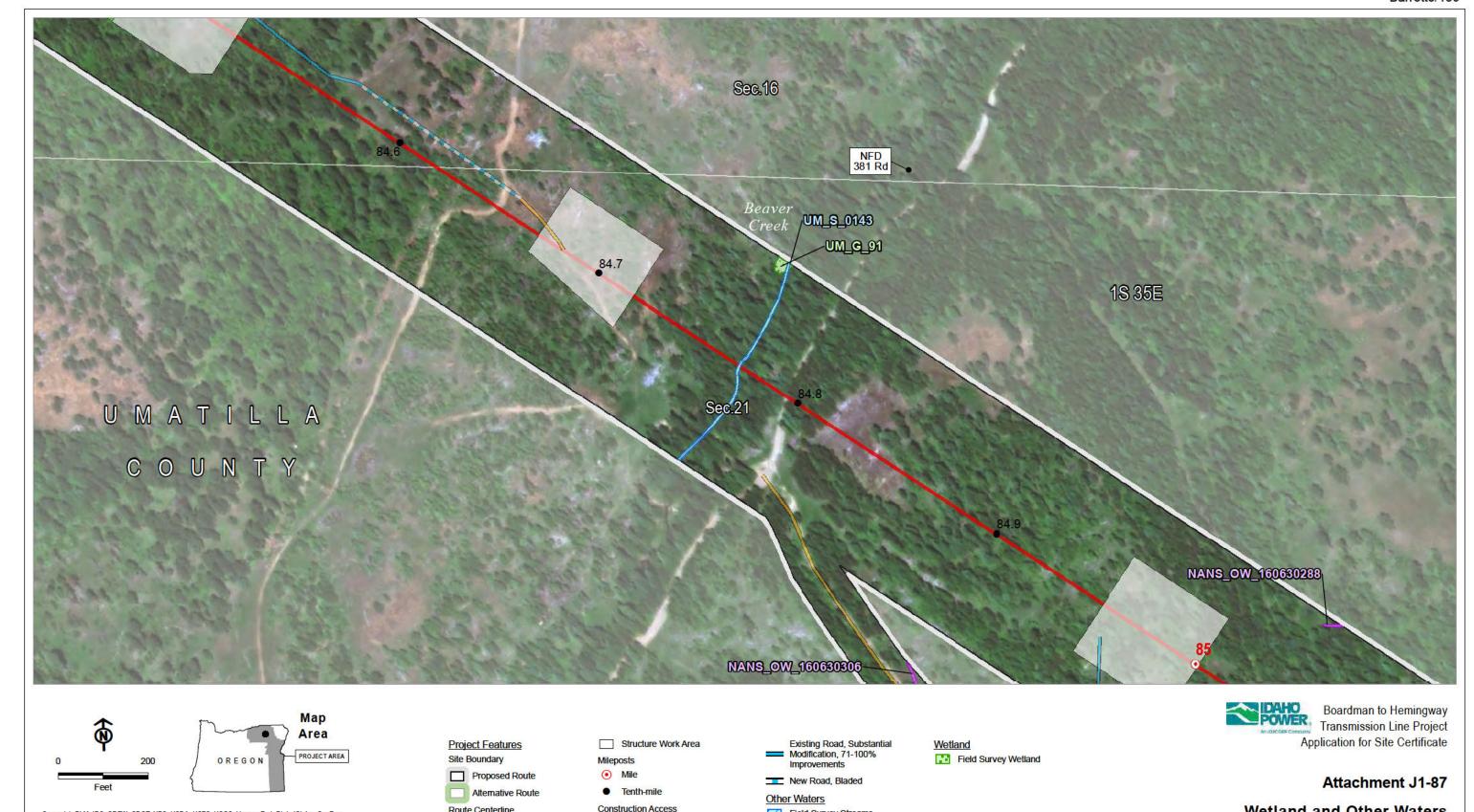
Attachment J1-86

**Wetland and Other Waters Detail Maps** 

**Wetland and Other Waters** 

**Detail Maps** 

**Umatilla County** 



Field Survey Streams

NANS Streams (NHD)

Existing Road, Substantial
Modification, 21-70%
Improvements

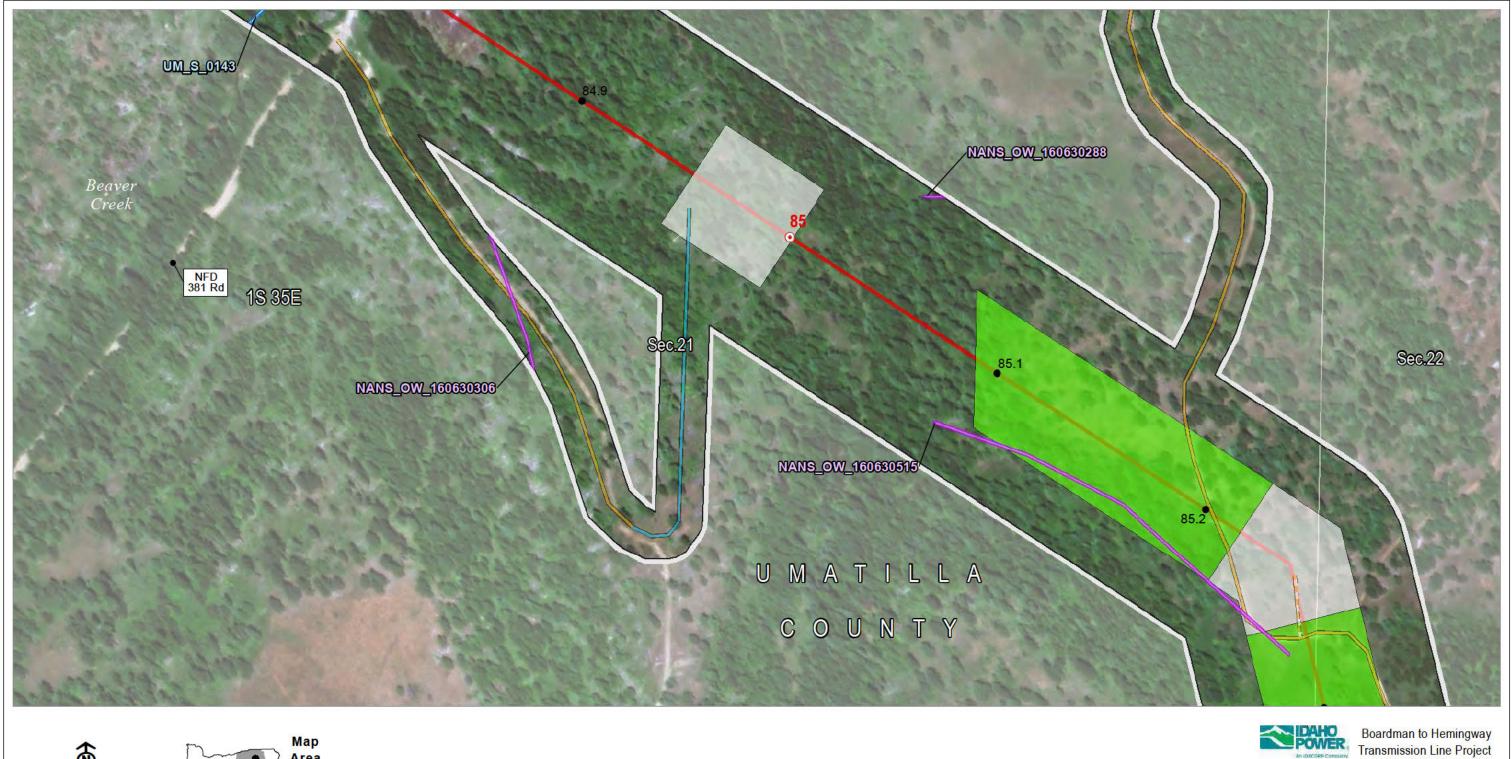
Route Centerline

Work Areas

Proposed Route

Pulling and Tensioning

Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo





Project Features Site Boundary

Proposed Route Alternative Route

Route Centerline

Proposed Route Work Areas Pulling and Tensioning Structure Work Area

Mileposts Mile

Tenth-mile

Construction Access Existing Road, Substantial
Modification, 21-70%
Improvements

Existing Road, Substantial
Modification, 71-100% New Road, Primitive

Other Waters

Field Survey Streams

NANS Streams (NHD)

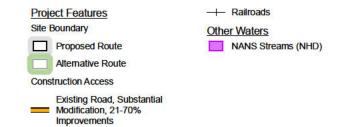


**Attachment J1-88** 

**Wetland and Other Waters Detail Maps** 









Attachment J1-89

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

■ Tenth-mile

Construction Access

Alternative Route
Route Centerline

■ Proposed Route

Other Waters

Work Areas

Mileposts

■ Tenth-mile

Construction Access

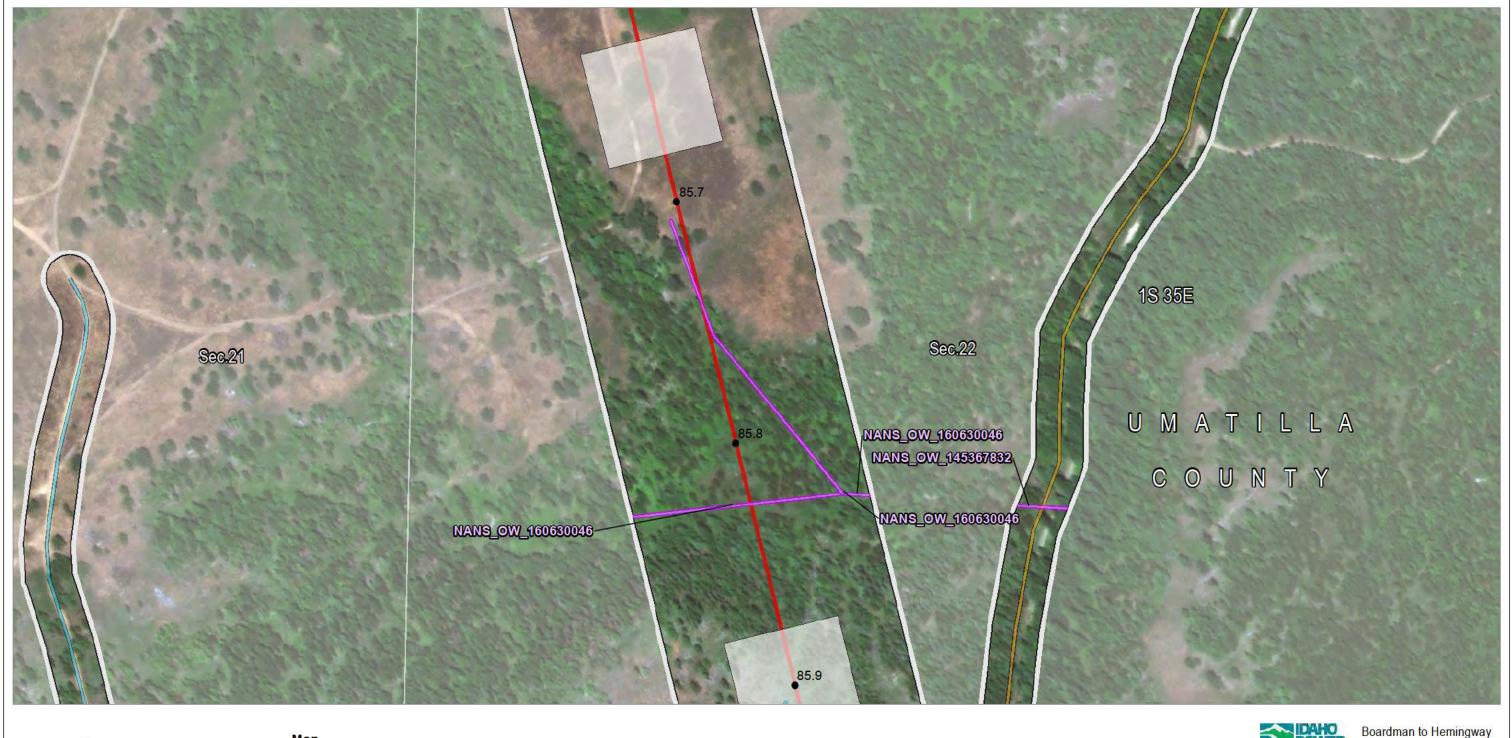
Existing Road, Substantial

Modification, 21-70%
Improvements

Structure Work Area

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-90
Wetland and Other Waters
Detail Maps



Improvements



Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline
Proposed Route
Work Areas
Structure Work Area

Mileposts

■ Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

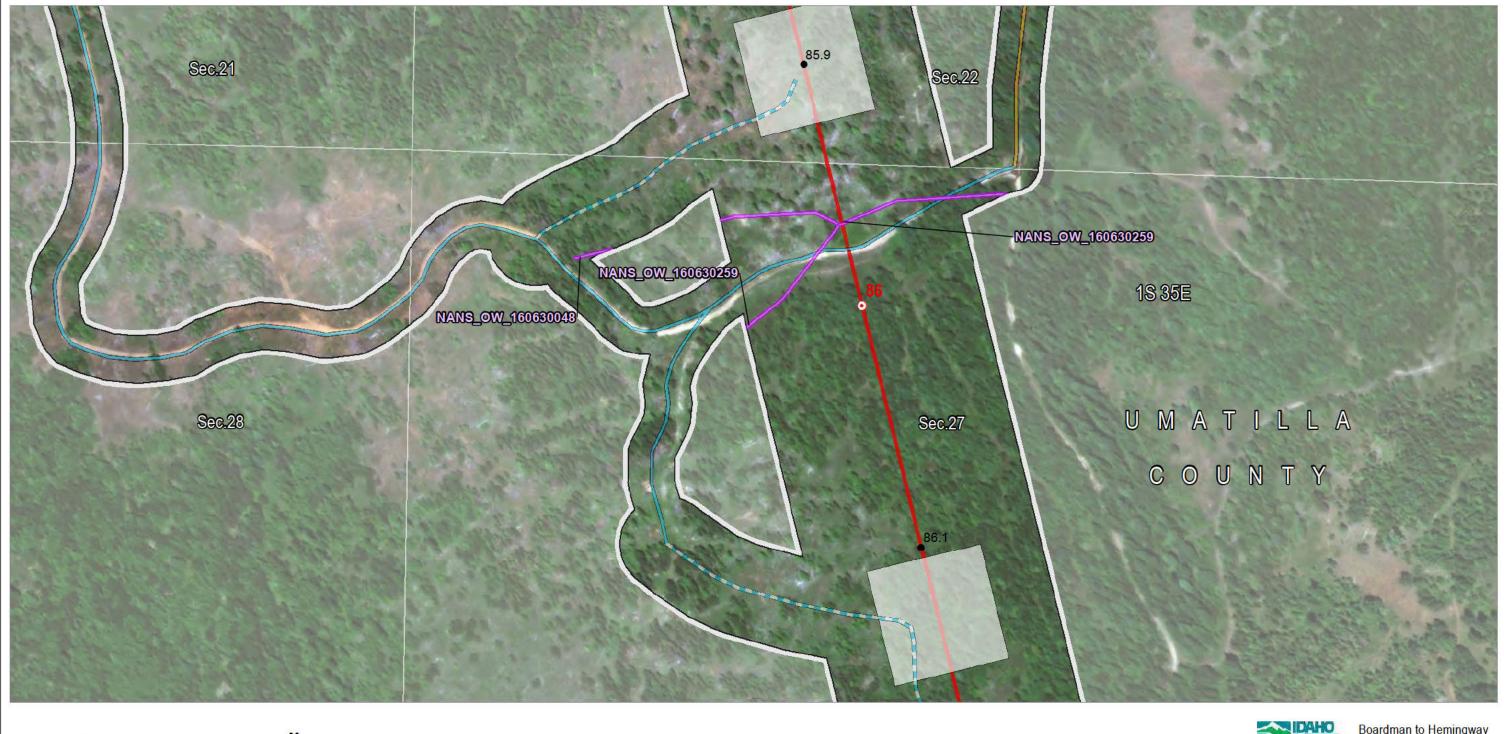
Existing Road, Substantial

Modification, 71-100%

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-91

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

Existing Road, Substantial
Modification, 71-100%

New Road, Bladed

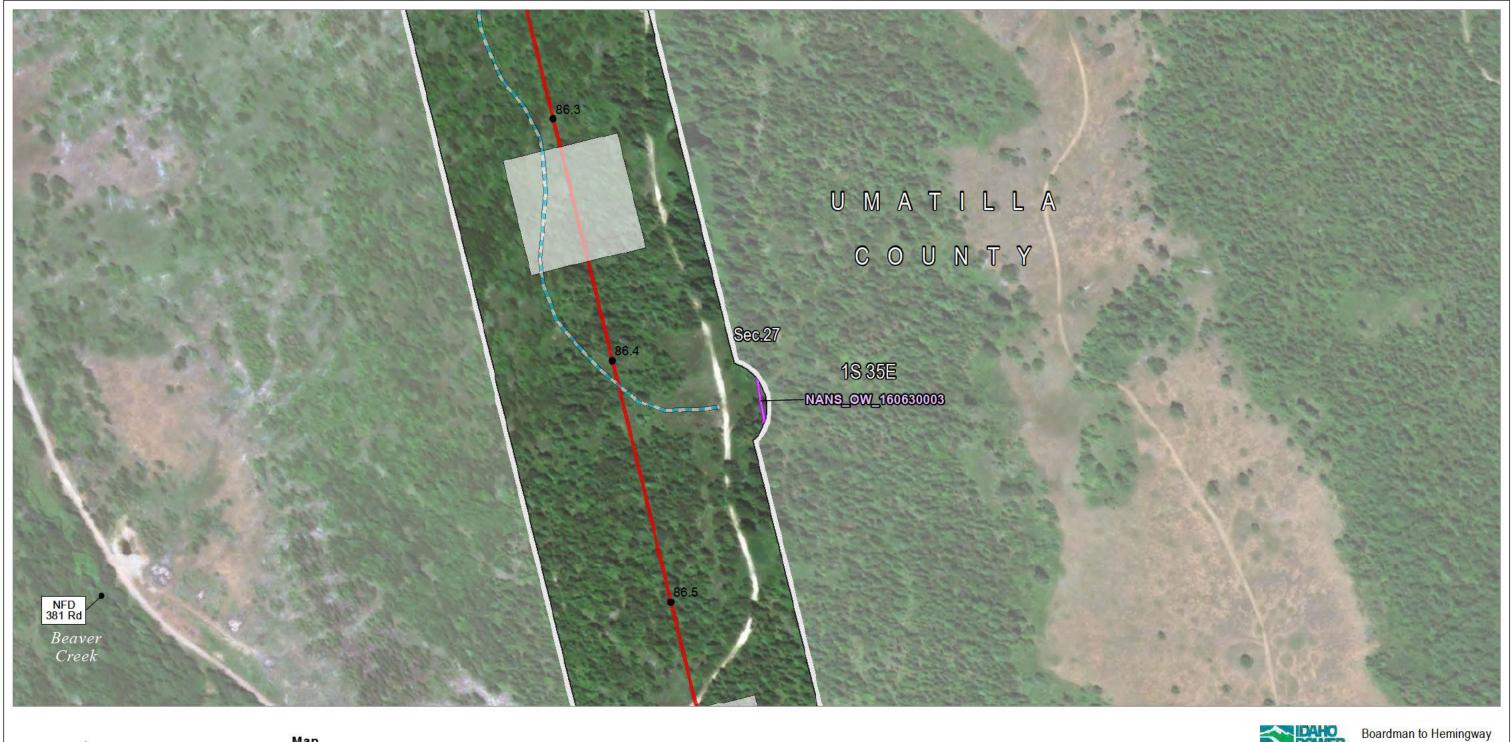
Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-92

Wetland and Other Waters Detail Maps





 Project Features
 Mileposts

 Site Boundary
 ■ Tenth-mile

 Proposed Route
 Construction Access

 Alternative Route
 ■ New Road, Bladed

 Route Centerline
 Other Waters

 Proposed Route
 NANS Streams (NHD)

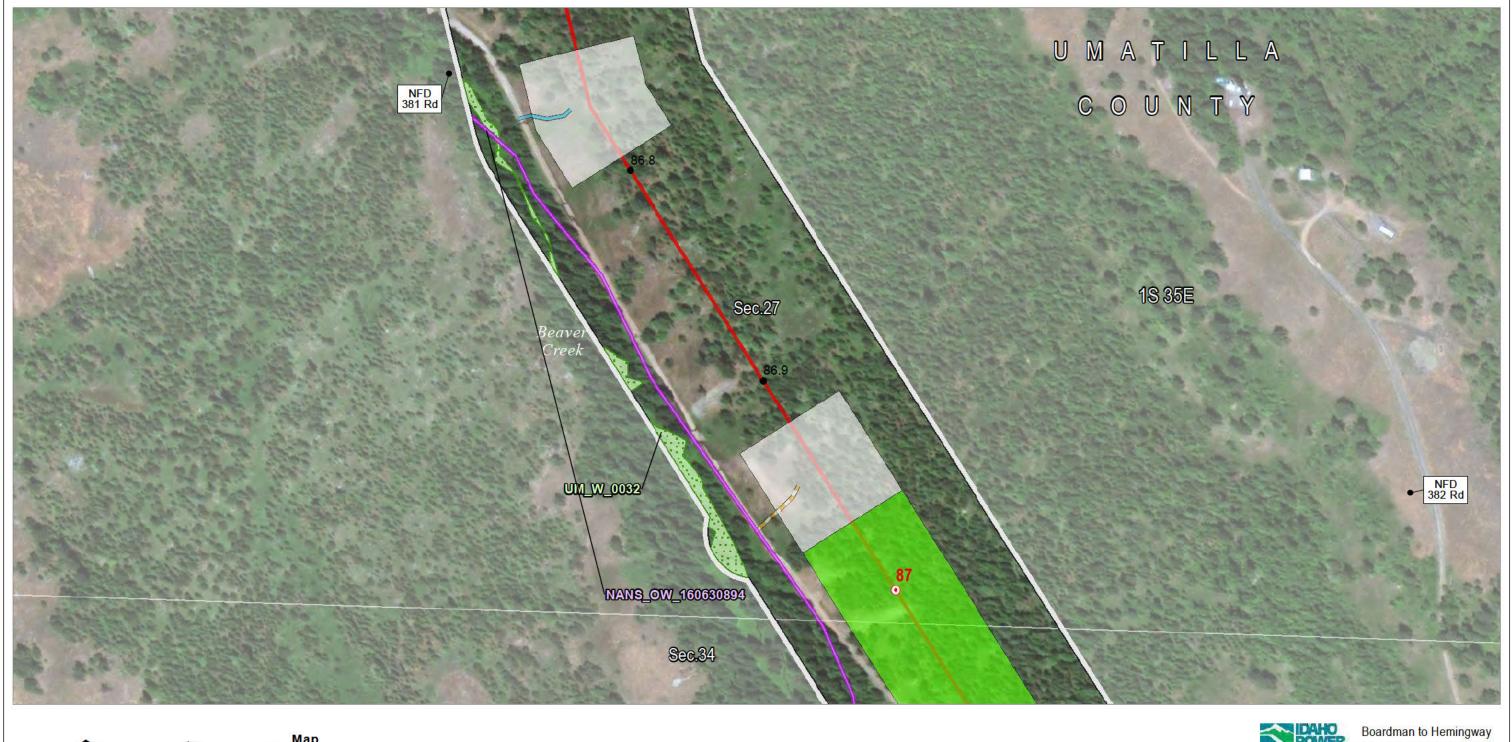
Work Areas

Structure Work Area

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-93

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route

Work Areas
Pulling and Tensioning

Structure Work Area

Mileposts

Mile
 Tooth mile

Tenth-mile
 Construction Access

Existing Road, Substantial
Modification, 71-100%
Improvements

New Road, Primitive

Other Waters

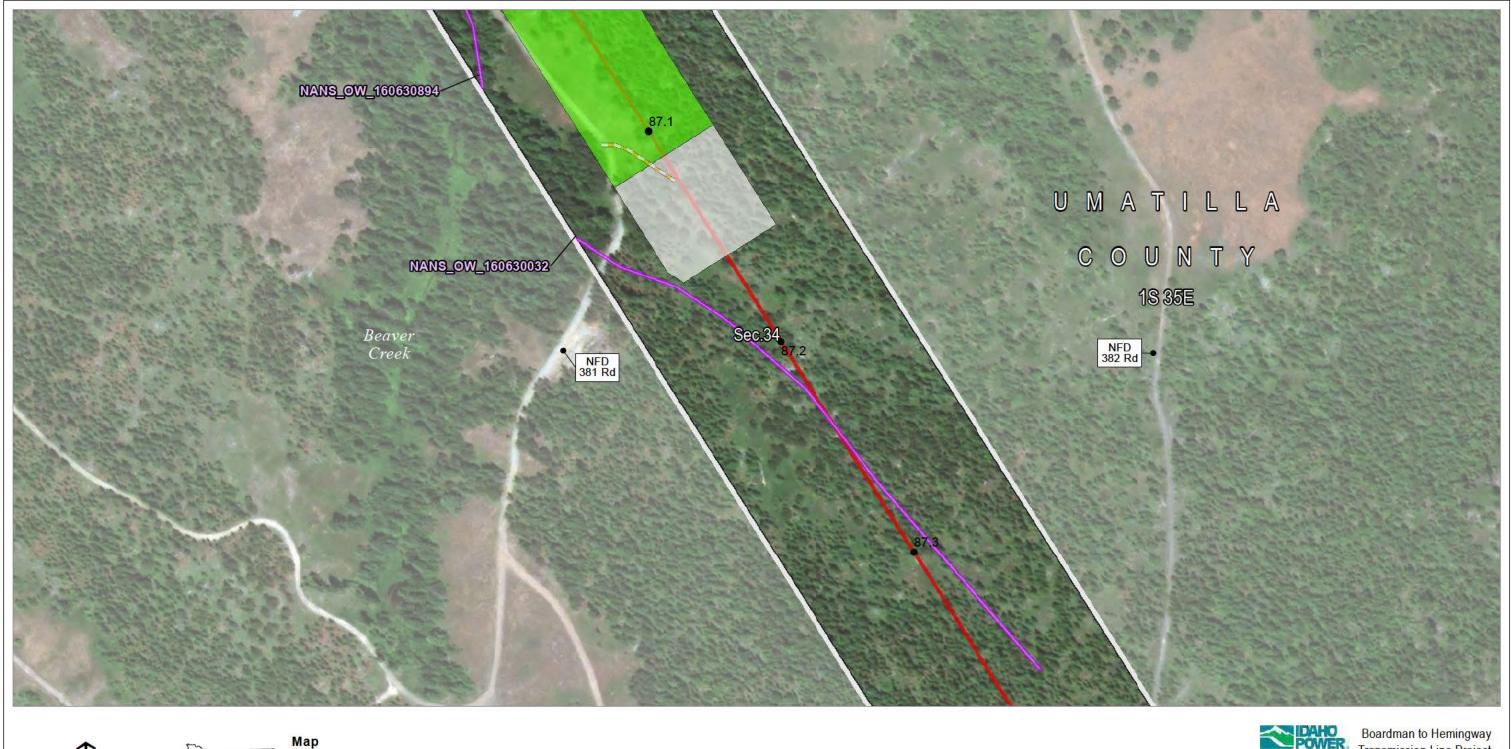
NANS Streams (NHD)

Wetland
Field Survey Wetland

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-94

Wetland and Other Waters Detail Maps





Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline

Proposed Route
Work Areas

Pulling and Tensioning

Structure Work Area
Mileposts

Tenth-mile
 Construction Access

New Road, Primitive

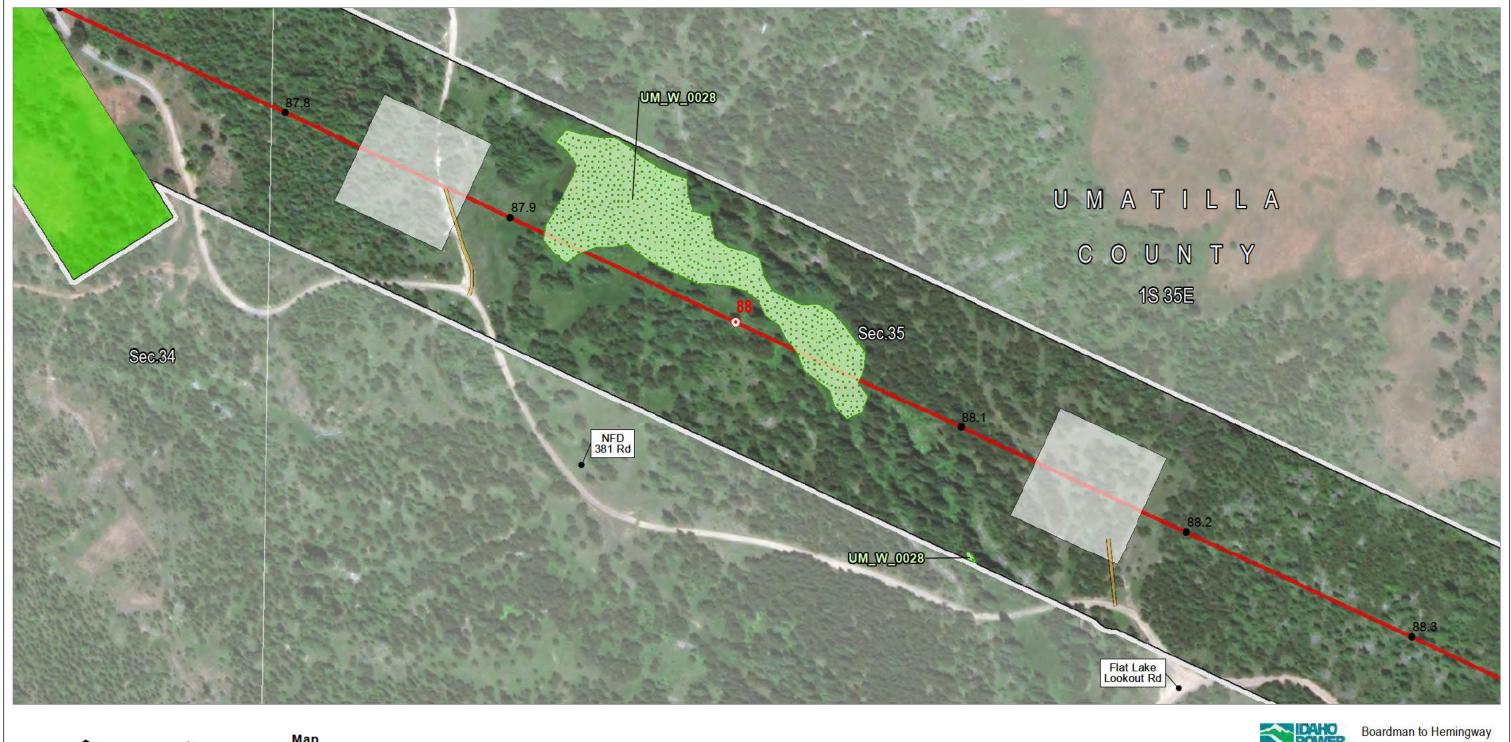
Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-95

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

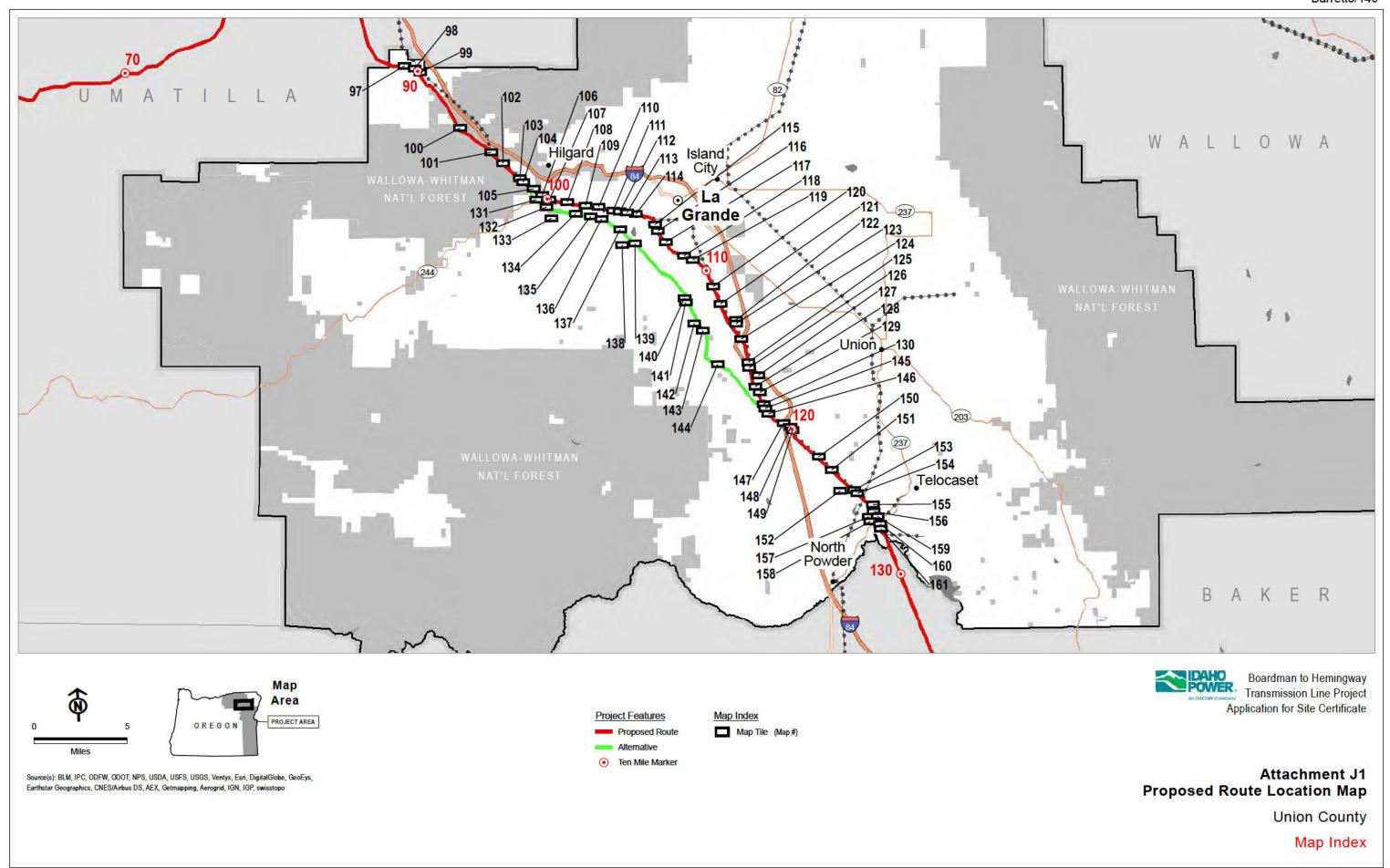
---- County Boundary

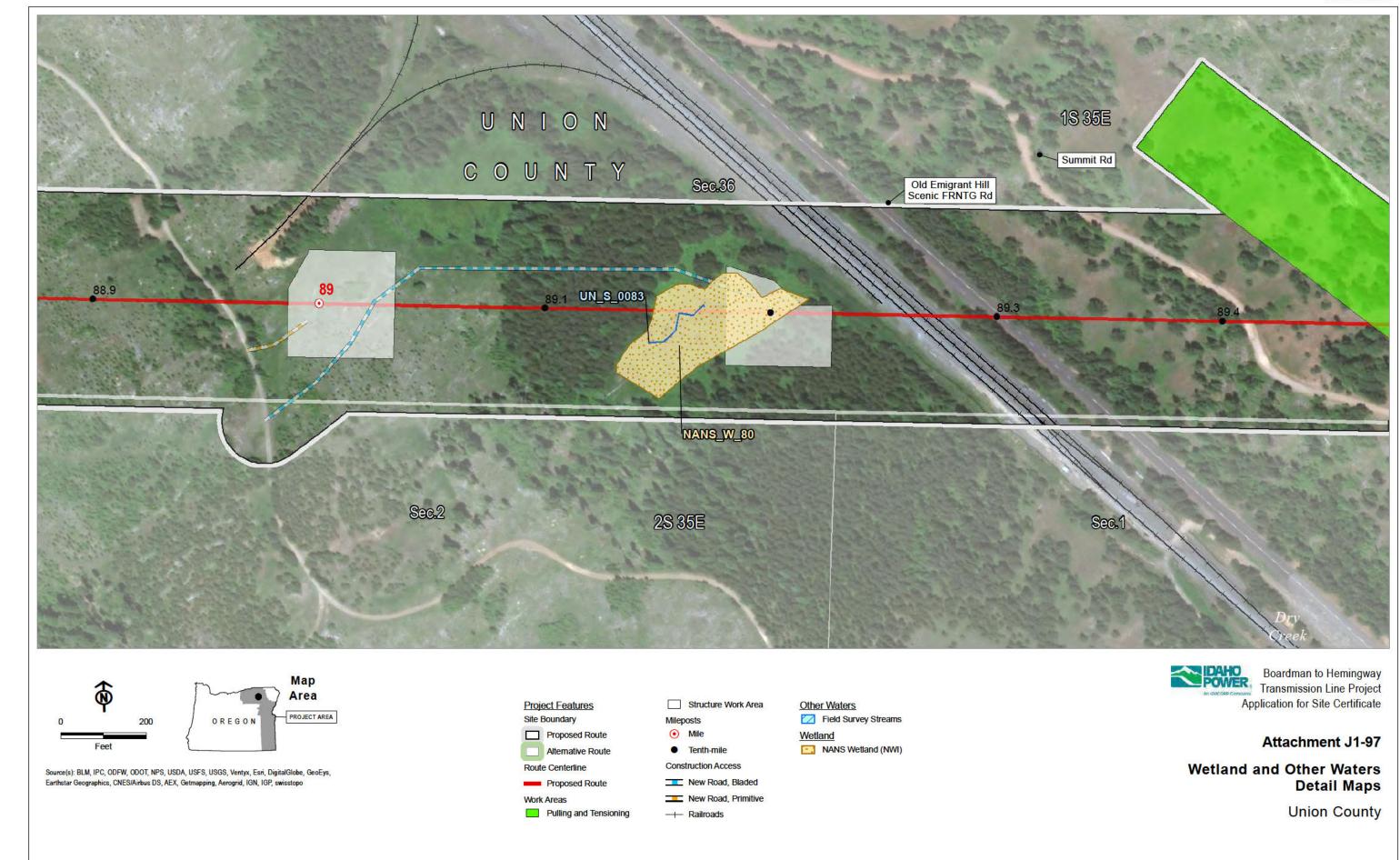
Wetland
Field Survey Wetland

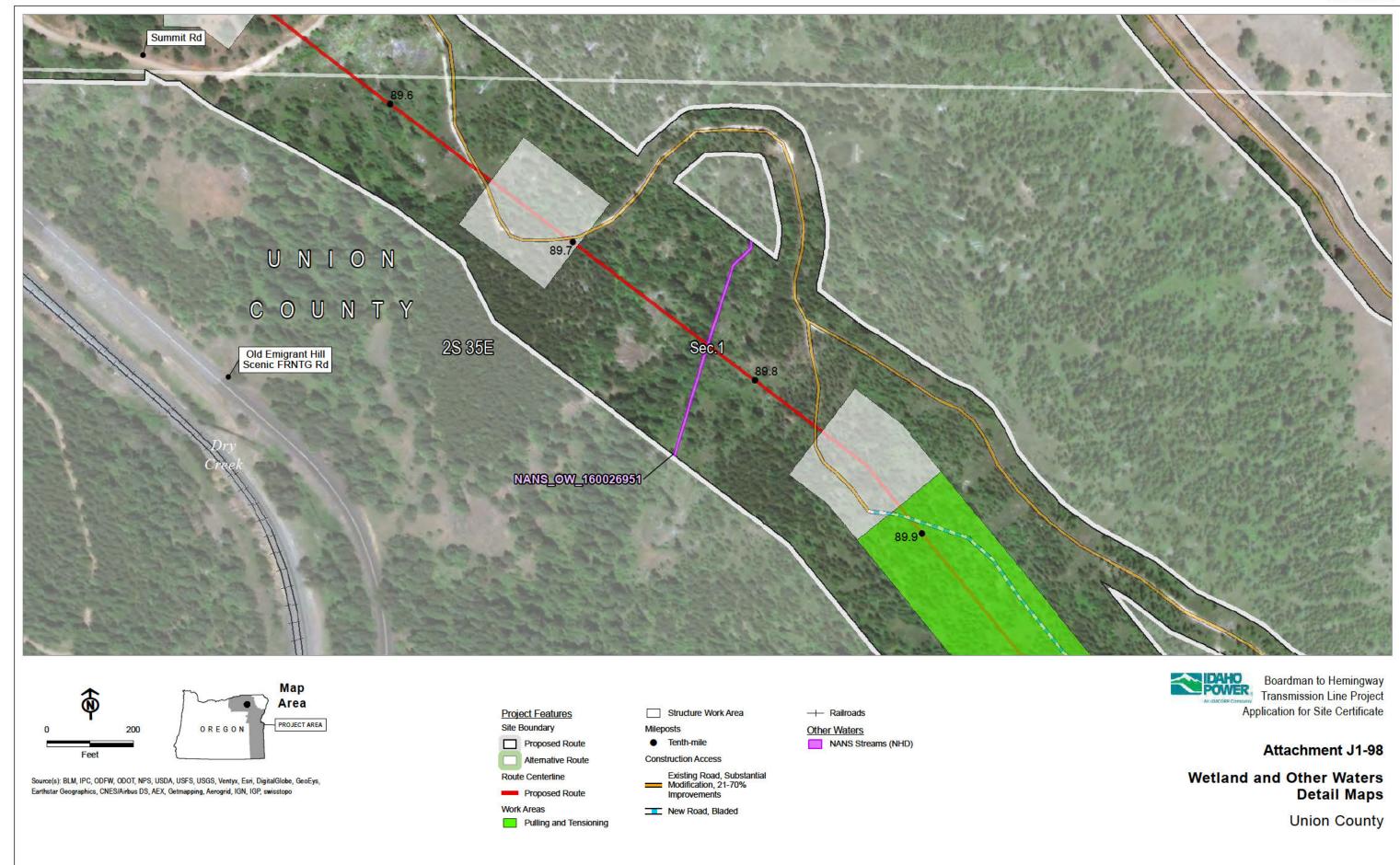
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

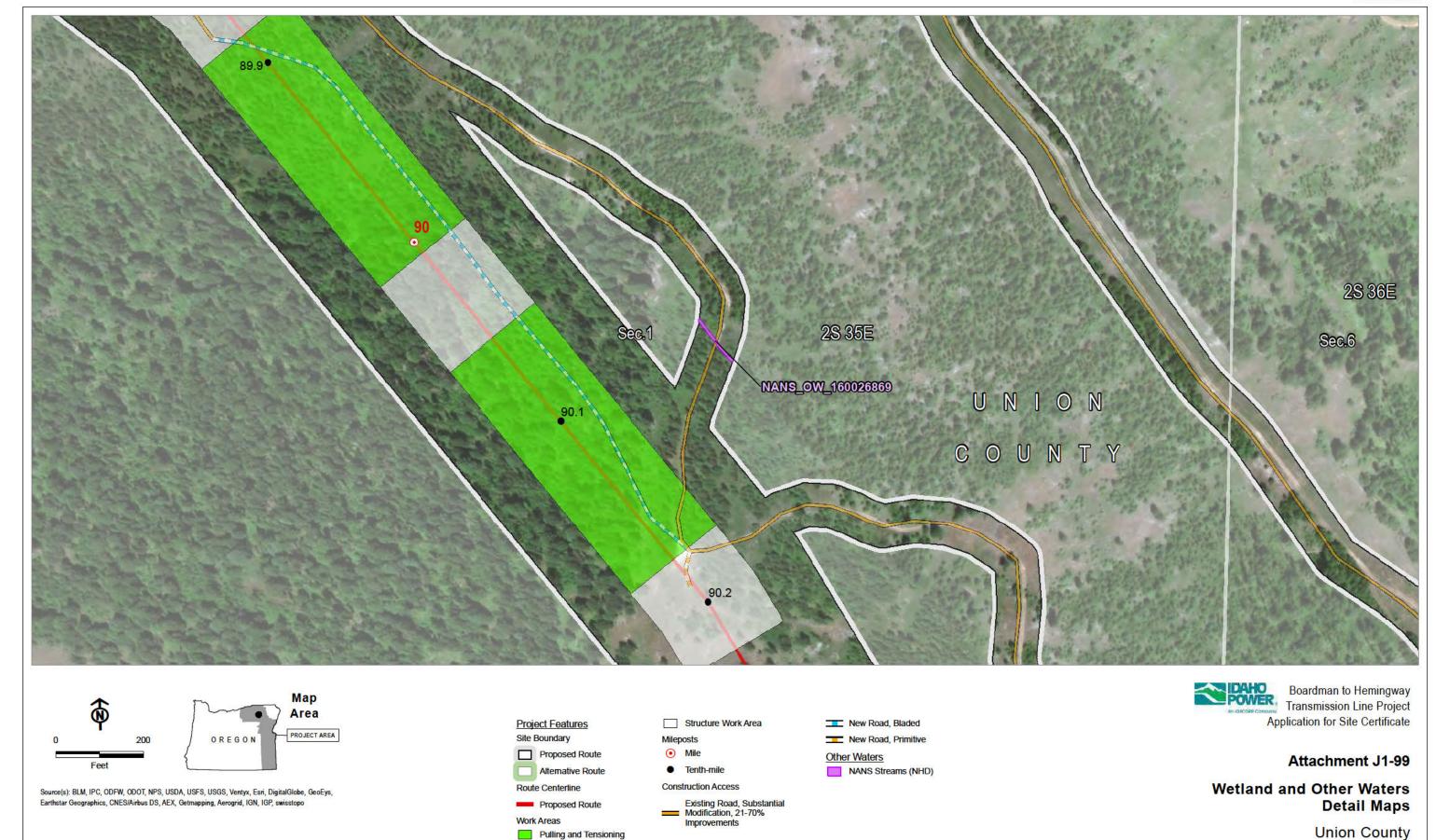
Attachment J1-96

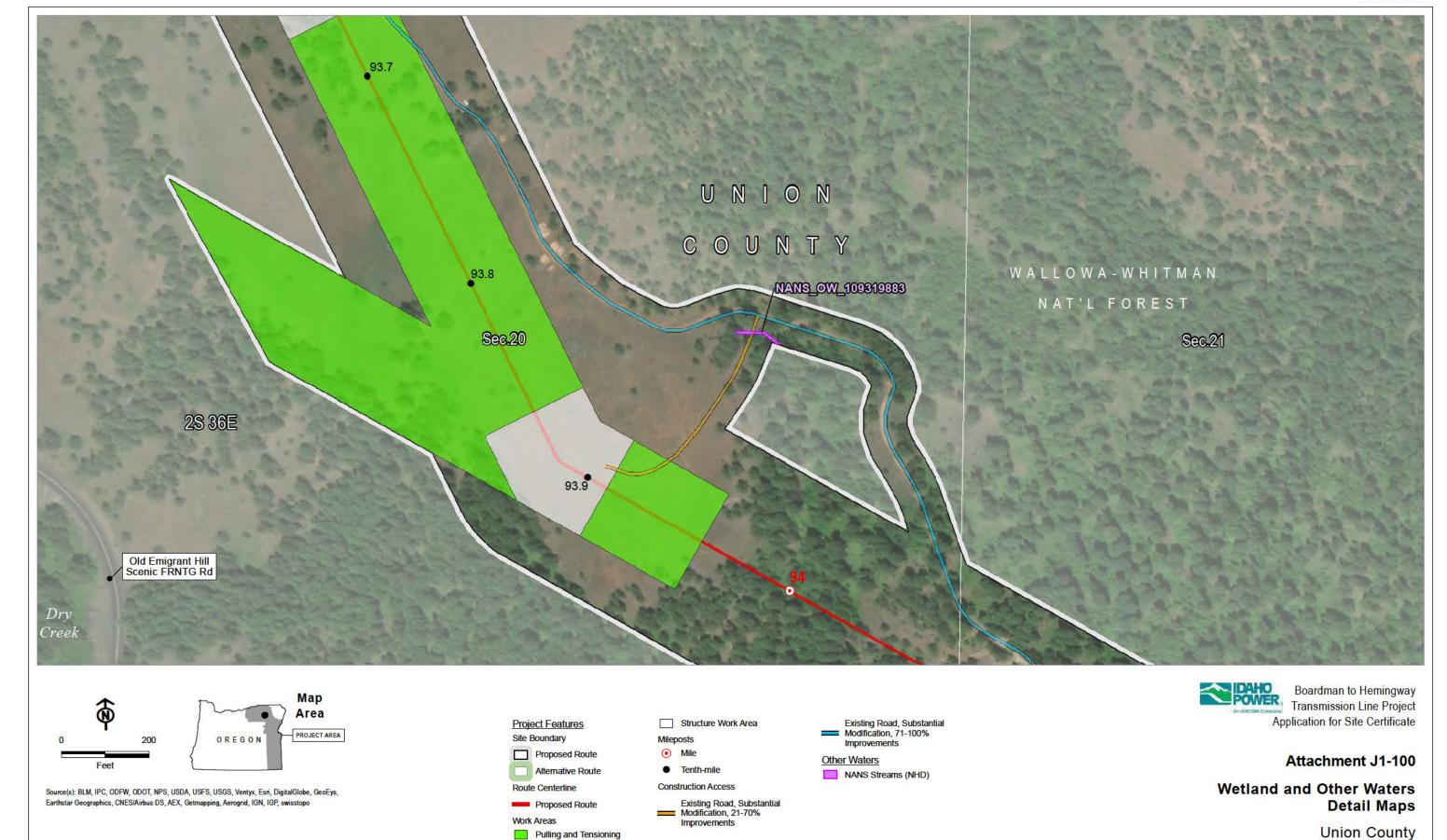
Wetland and Other Waters Detail Maps















Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts

MileTenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive

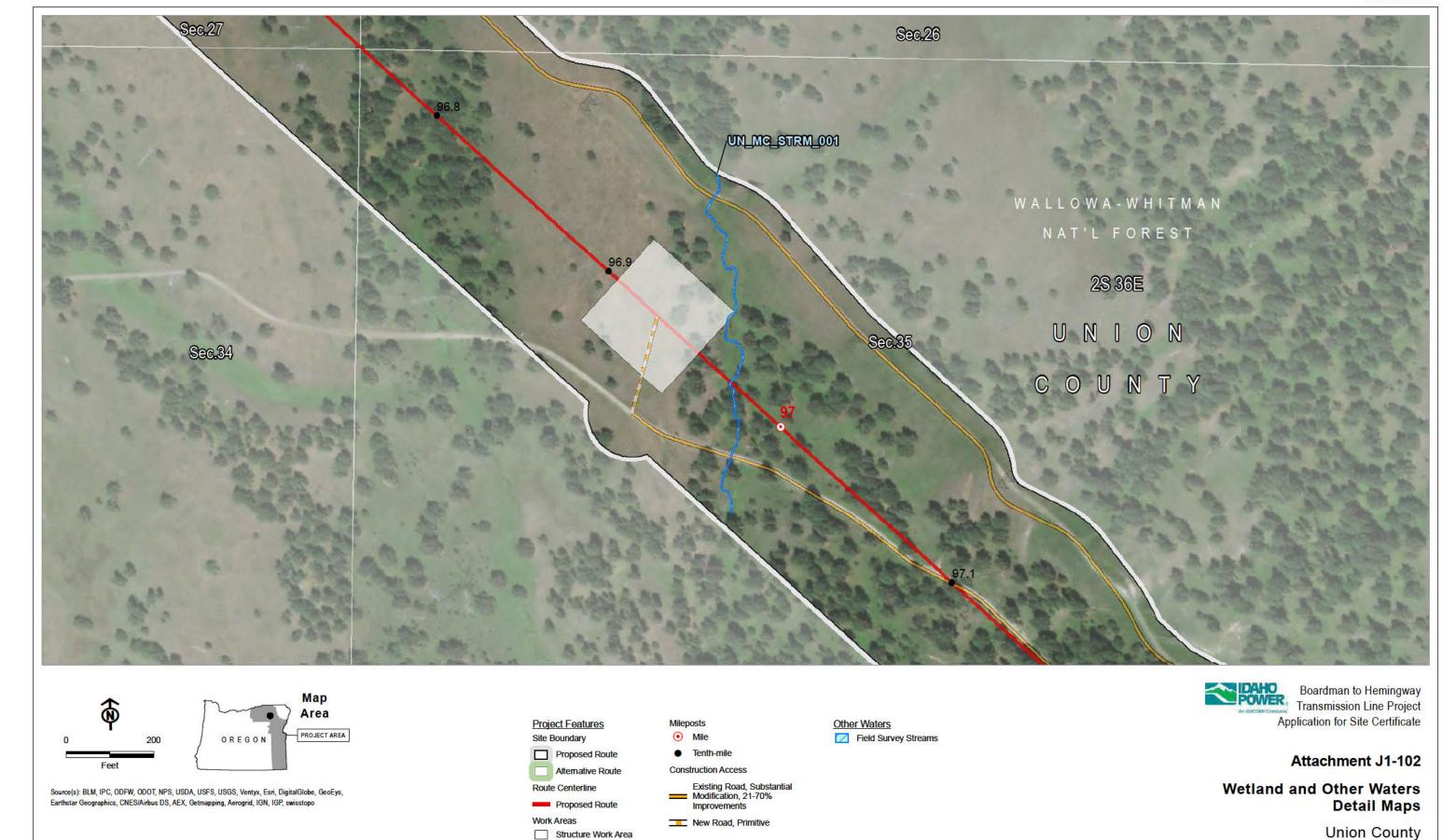
Other Waters

NANS Streams (NHD)

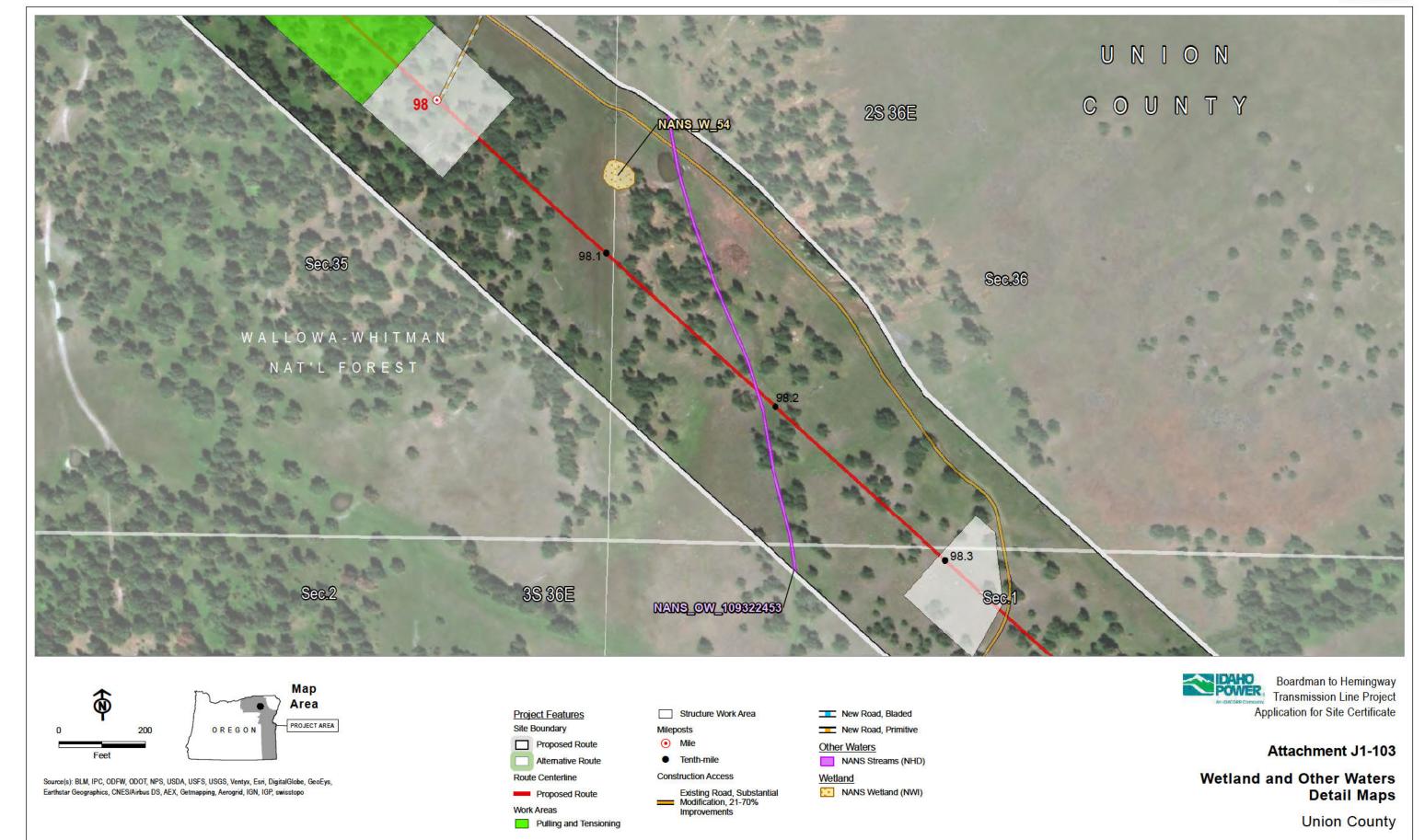
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

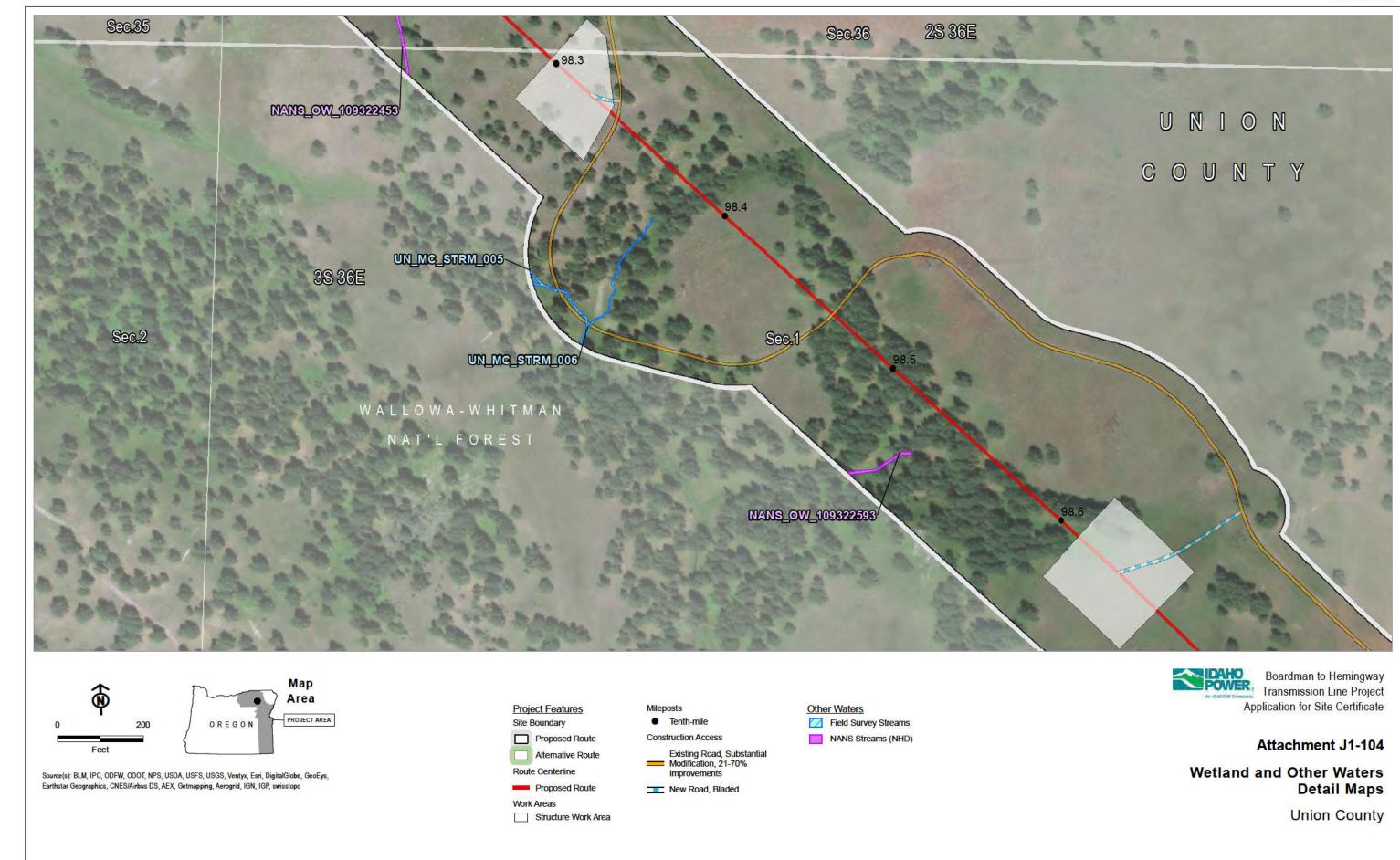
Attachment J1-101

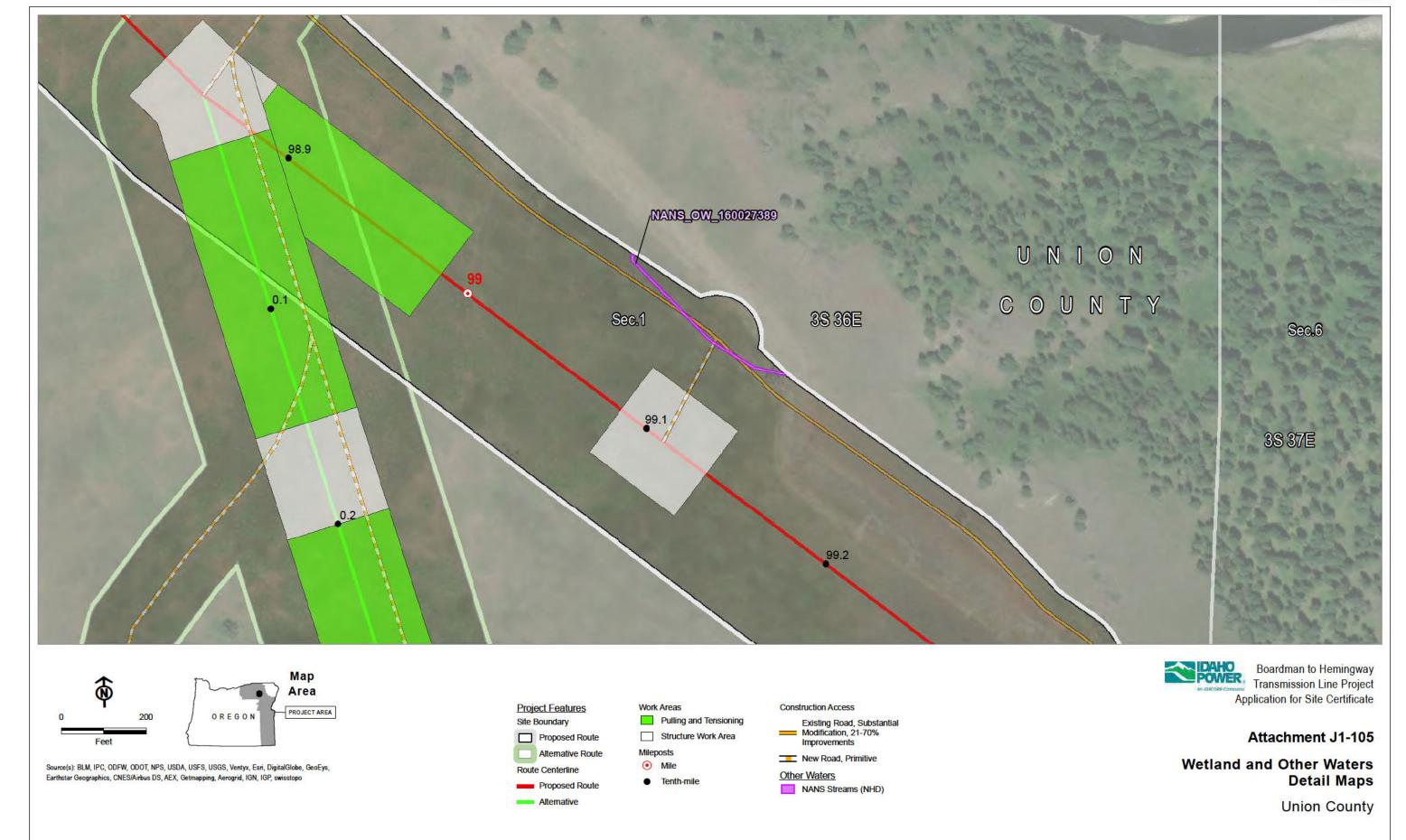
Wetland and Other Waters Detail Maps

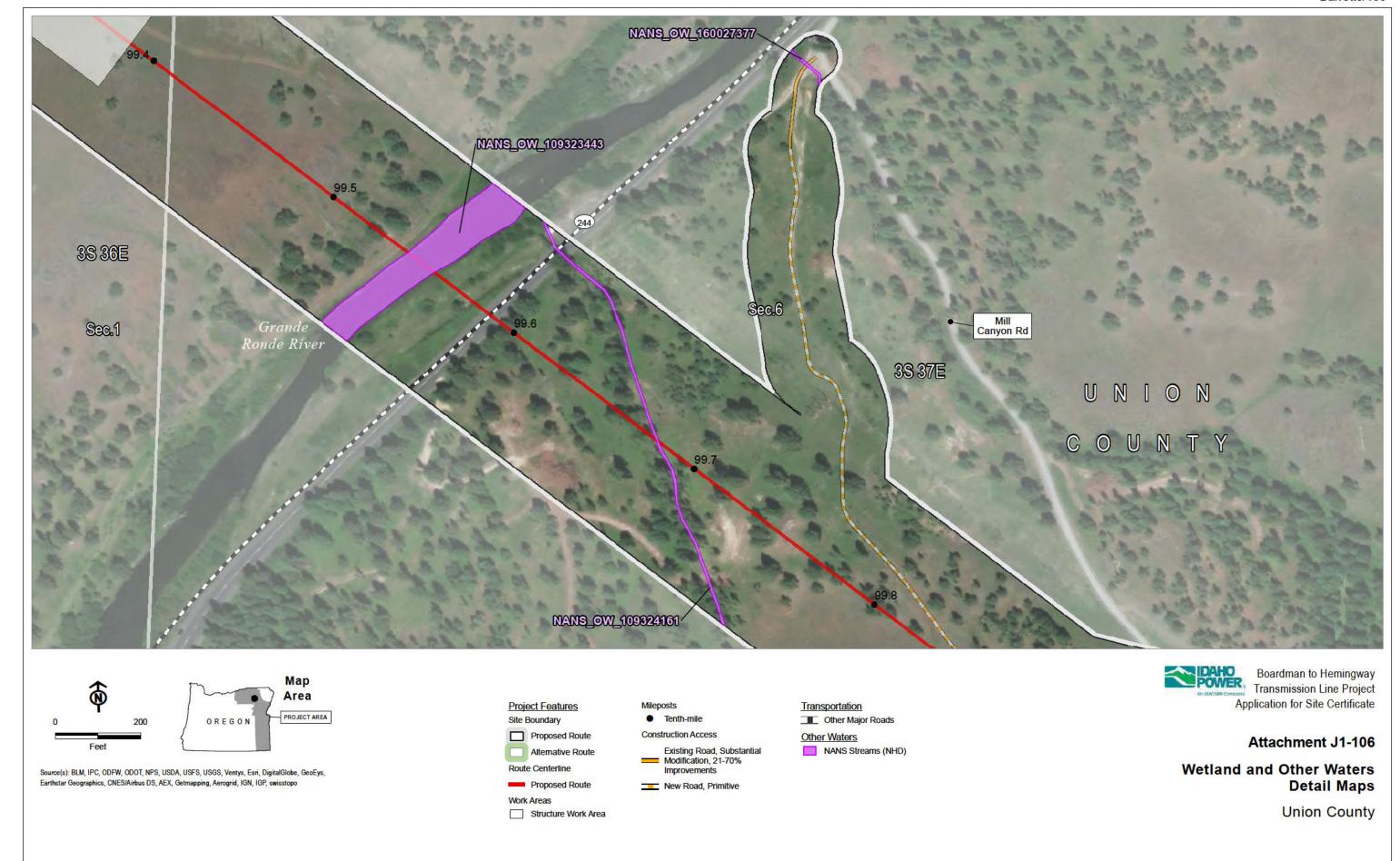


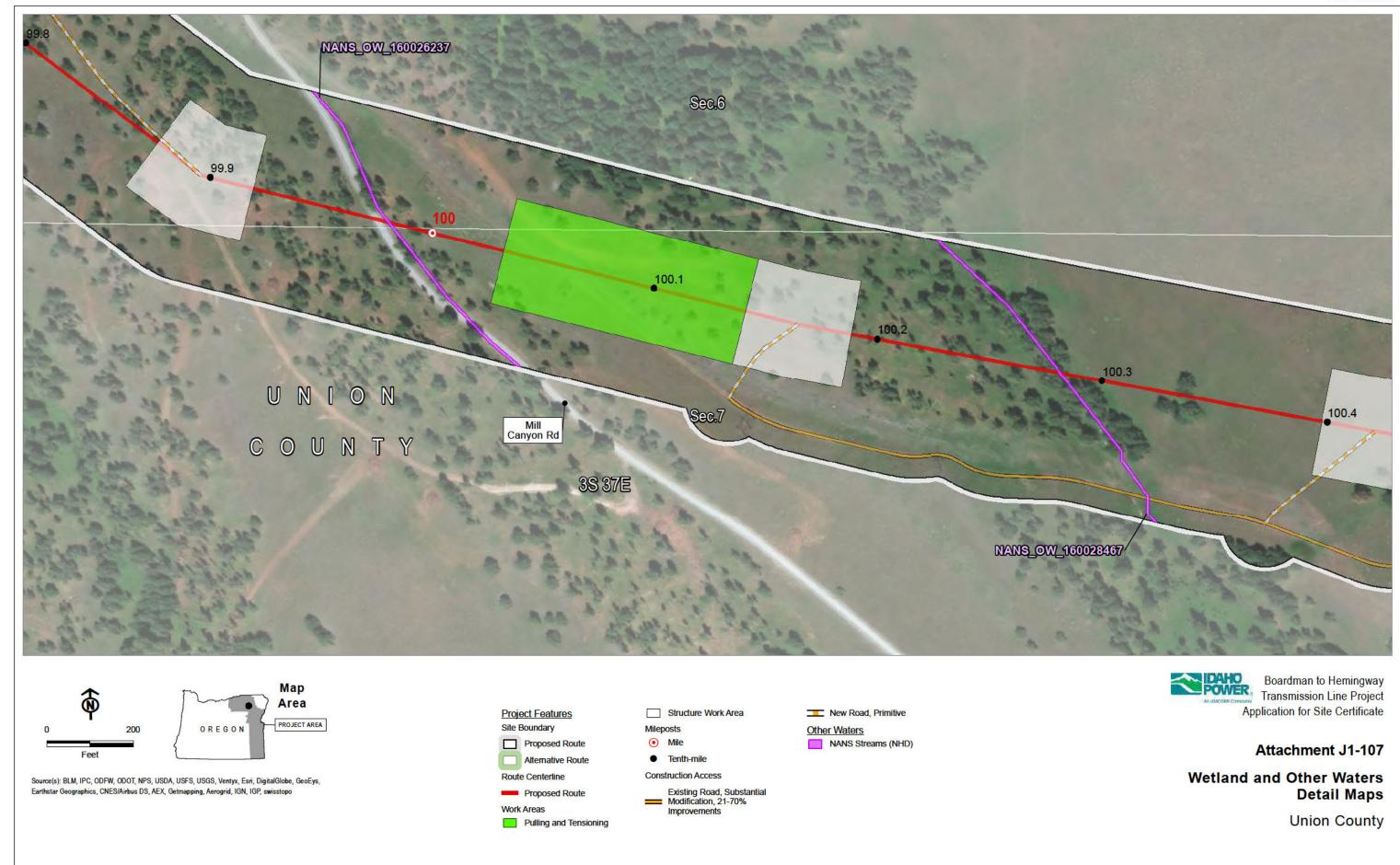
Structure Work Area















Project Features Site Boundary

Proposed Route Alternative Route

Route Centerline

Proposed Route

Work Areas Structure Work Area

Tenth-mile

Construction Access Existing Road, Substantial Modification, 21-70%

Improvements New Road, Bladed New Road, Primitive

Other Waters

Field Survey Streams

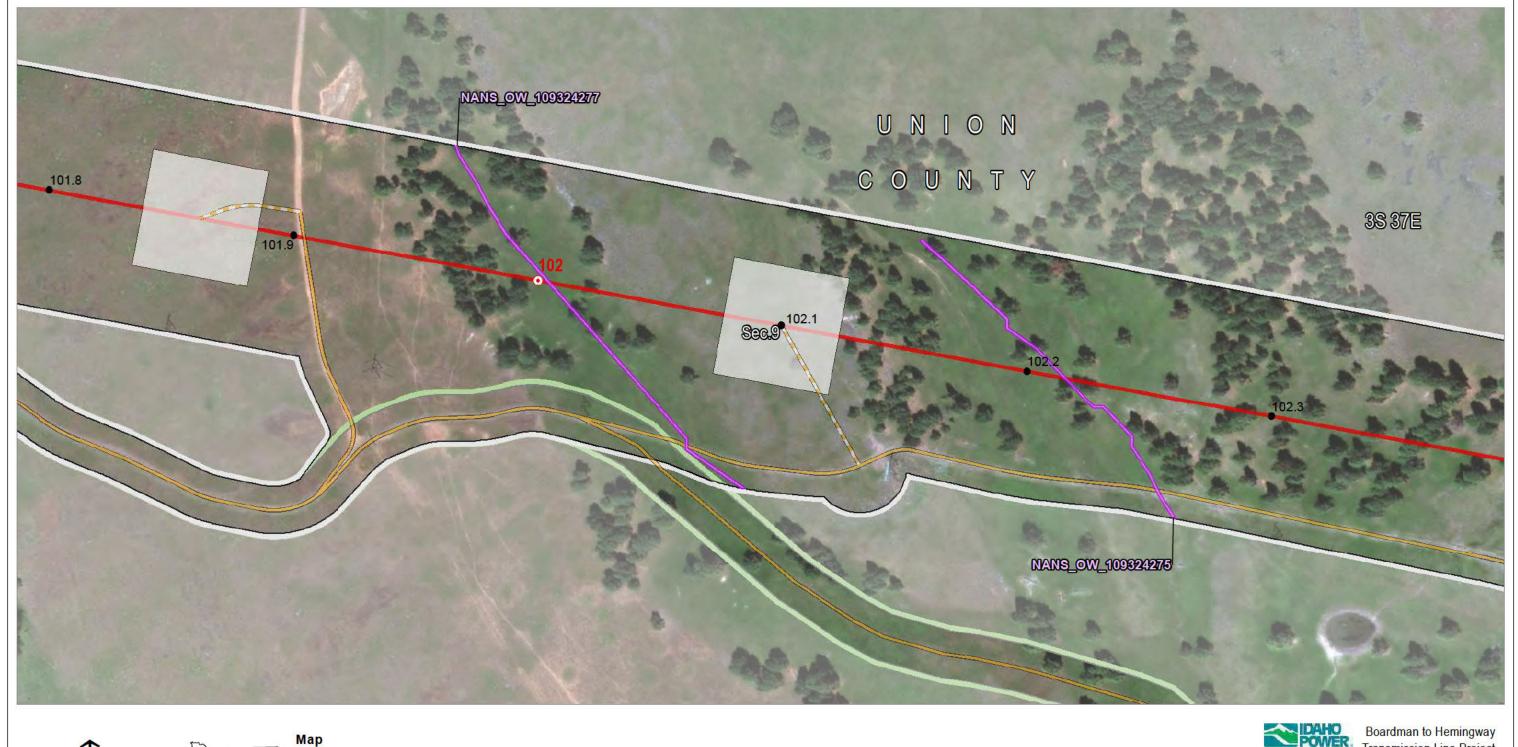
Wetland

Field Survey Wetland

Application for Site Certificate

Attachment J1-108

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Work Areas Structure Work Area Mileposts Mile Tenth-mile **Construction Access** Existing Road, Substantial
Modification, 21-70%
Improvements

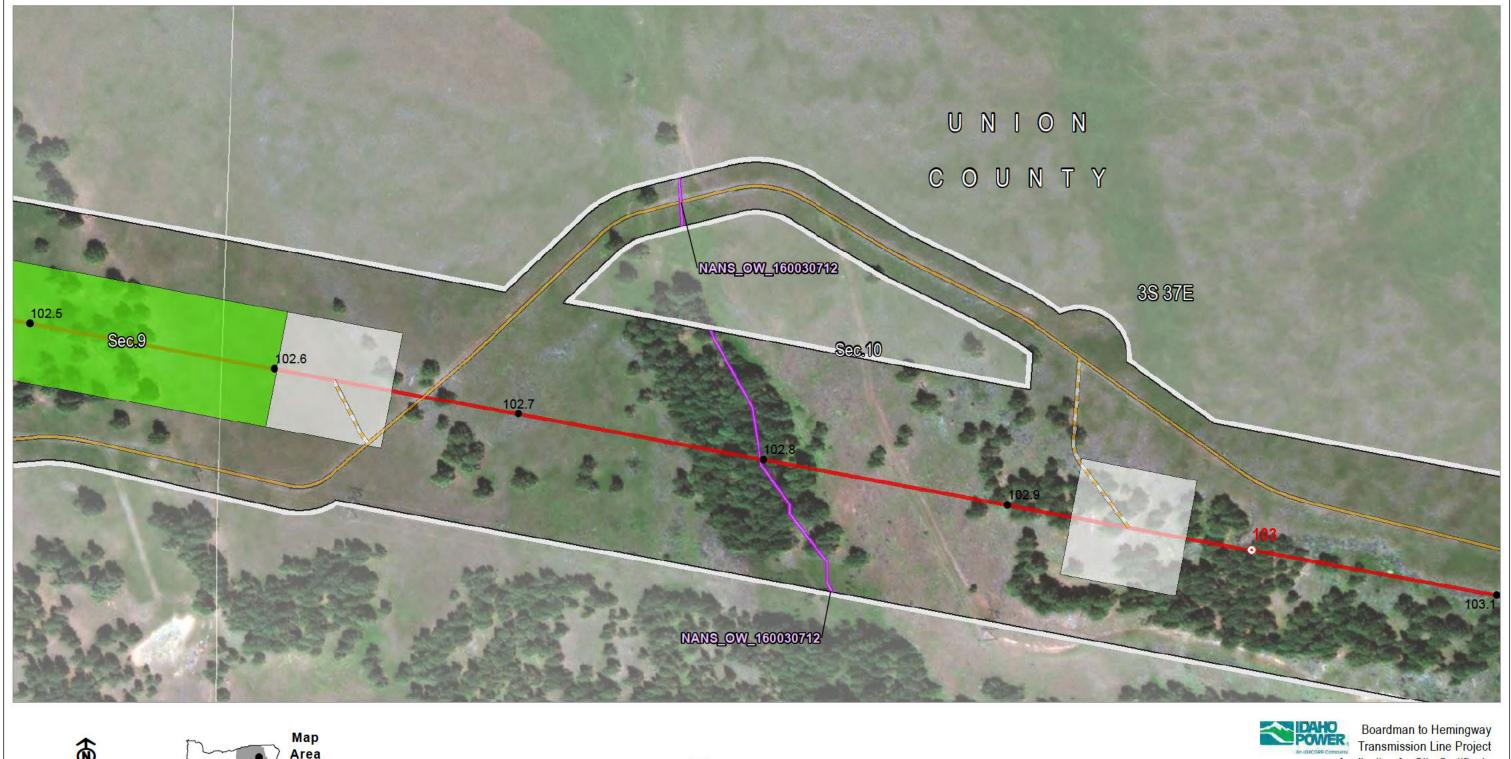
New Road, Primitive

Other Waters NANS Streams (NHD)

Transmission Line Project Application for Site Certificate

Attachment J1-109

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts

Mile Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive

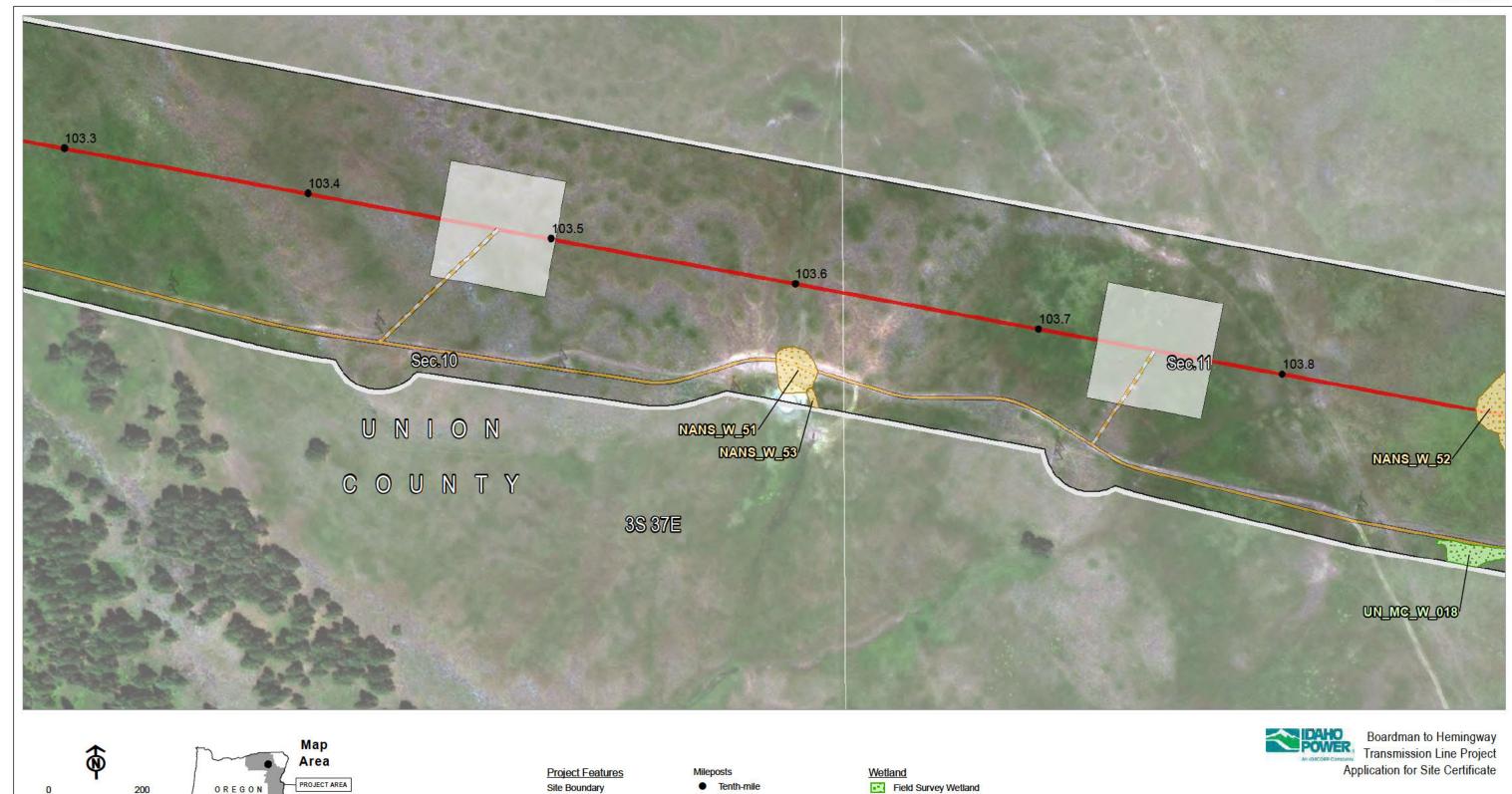
Other Waters

NANS Streams (NHD)

Application for Site Certificate

Attachment J1-110

**Wetland and Other Waters Detail Maps** 





Site Boundary Proposed Route Alternative Route Route Centerline

Proposed Route

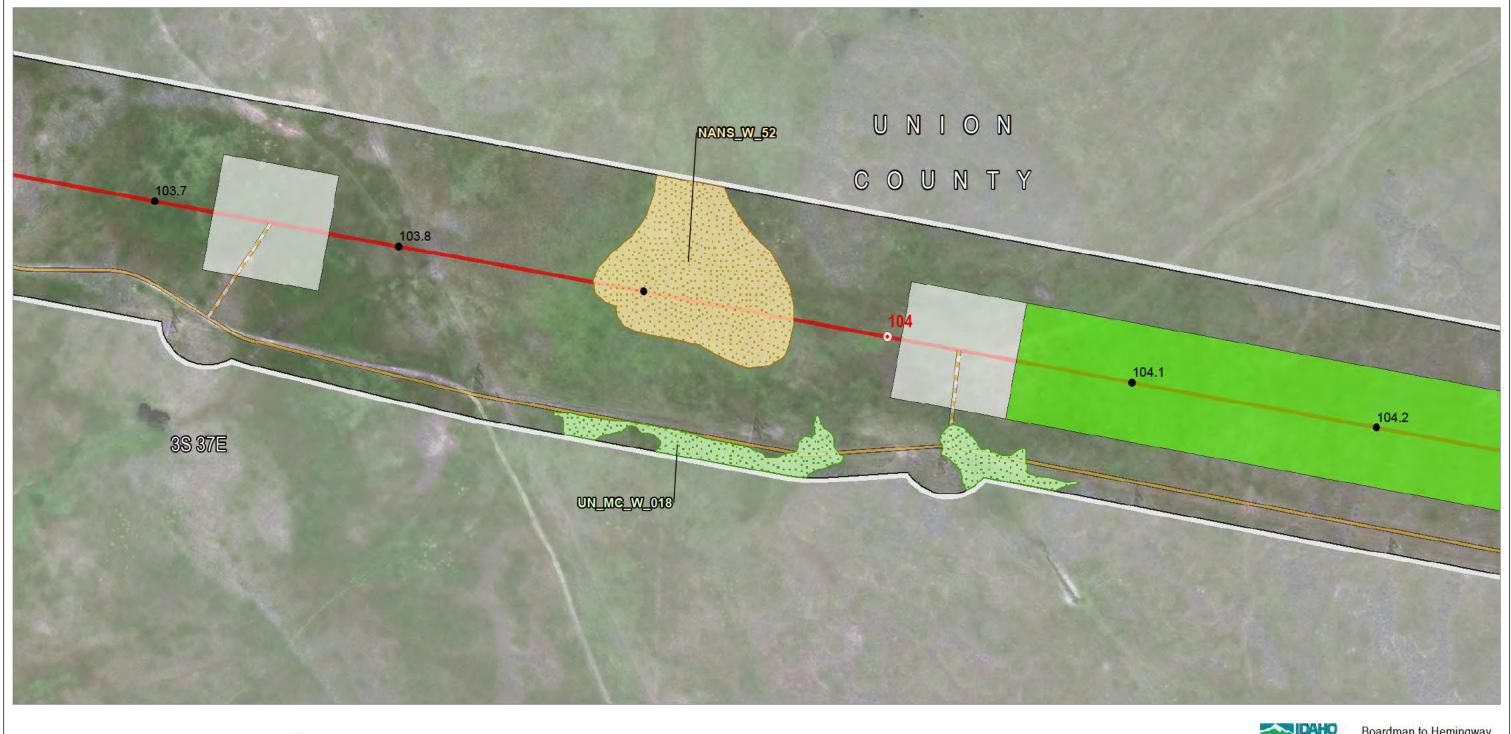
Work Areas Structure Work Area Construction Access Existing Road, Substantial Modification, 21-70% Improvements

New Road, Primitive

NANS Wetland (NWI)

Attachment J1-111

**Wetland and Other Waters Detail Maps** 





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route

Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive

Wetland

Field Survey Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-112

Wetland and Other Waters Detail Maps





Project Features Site Boundary

□ Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area

Mileposts Tenth-mile

Construction Access

Existing Road, Substantial Modification, 21-70% Improvements

New Road, Primitive

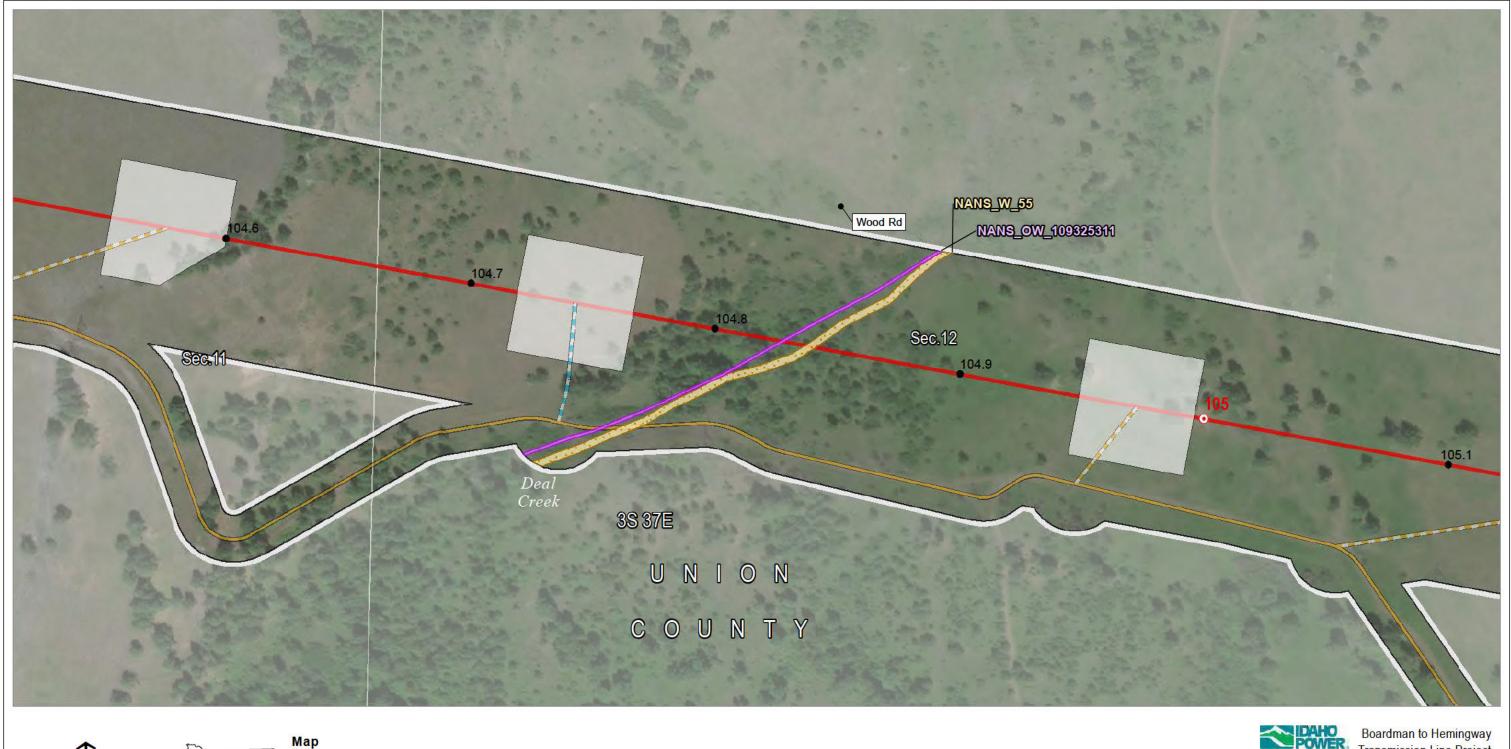
Wetland

Field Survey Wetland

Application for Site Certificate

Attachment J1-113

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas

Structure Work Area

Mileposts

Mile

 Tenth-mile **Construction Access** 

Existing Road, Substantial
Modification, 21-70% Improvements

New Road, Bladed

New Road, Primitive

Other Waters

NANS Streams (NHD)

Wetland

NANS Wetland (NWI)



Attachment J1-114

**Wetland and Other Waters Detail Maps** 





**Project Features** Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Work Areas

Pulling and Tensioning

Structure Work Area Other Waters NANS Streams (NHD) Mileposts Mile Tenth-mile Construction Access New Road, Bladed New Road, Primitive

Application for Site Certificate

Attachment J1-115

**Wetland and Other Waters Detail Maps** 





Project Features
Site Boundary

Proposed Route
Alternative Route

Route Centerline

Proposed Route

Work Areas
Structure Work Area

Mileposts

Tenth-mile

Construction Access

New Road, Primitive

Other Waters

NANS Streams (NHD)

Wetland

NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-116

Wetland and Other Waters Detail Maps





Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline
Proposed Route
Work Areas

Structure Work Area

Mileposts

■ Tenth-mile

Construction Access

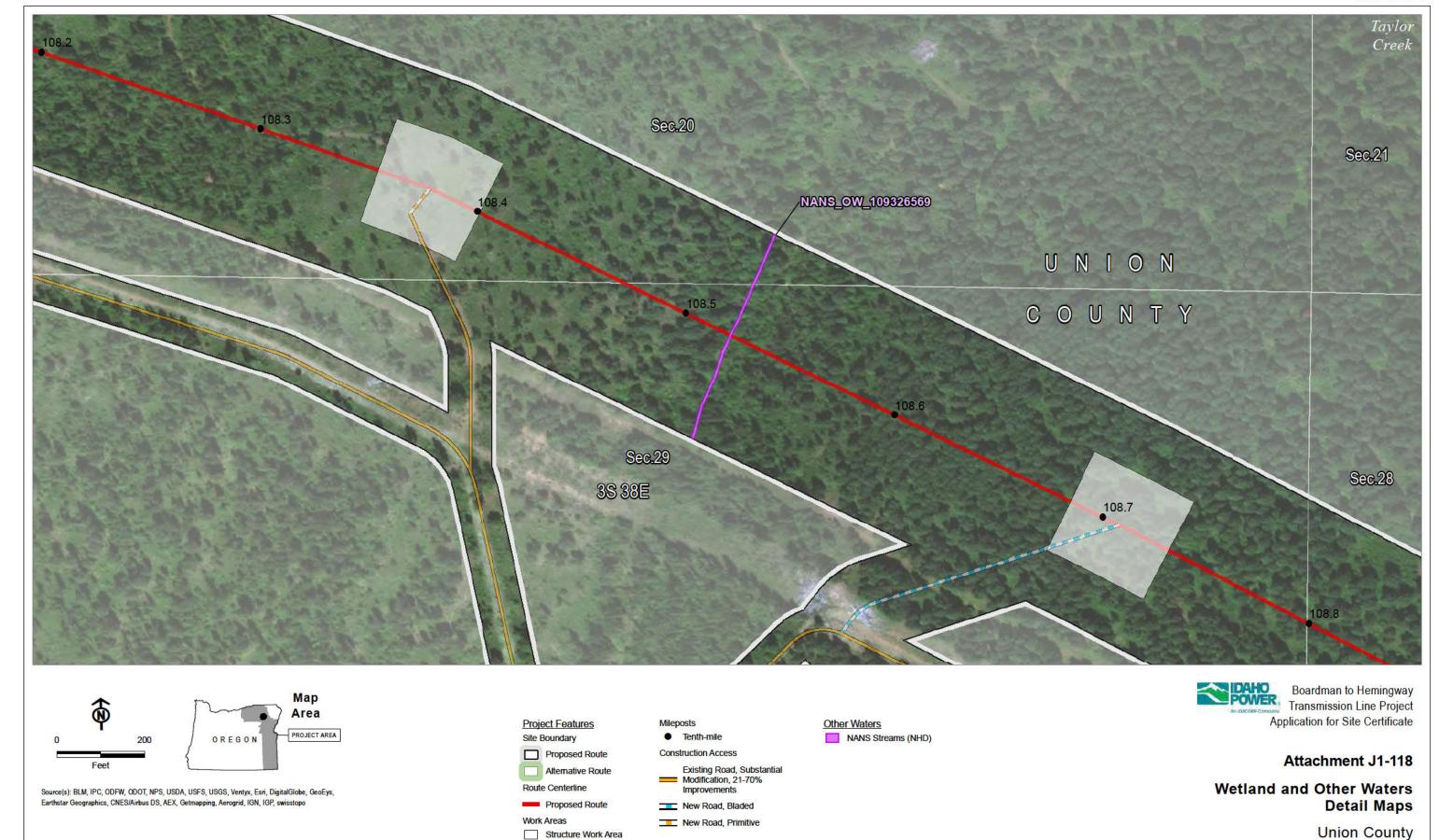
■ New Road, Bladed
■ New Road, Primitive

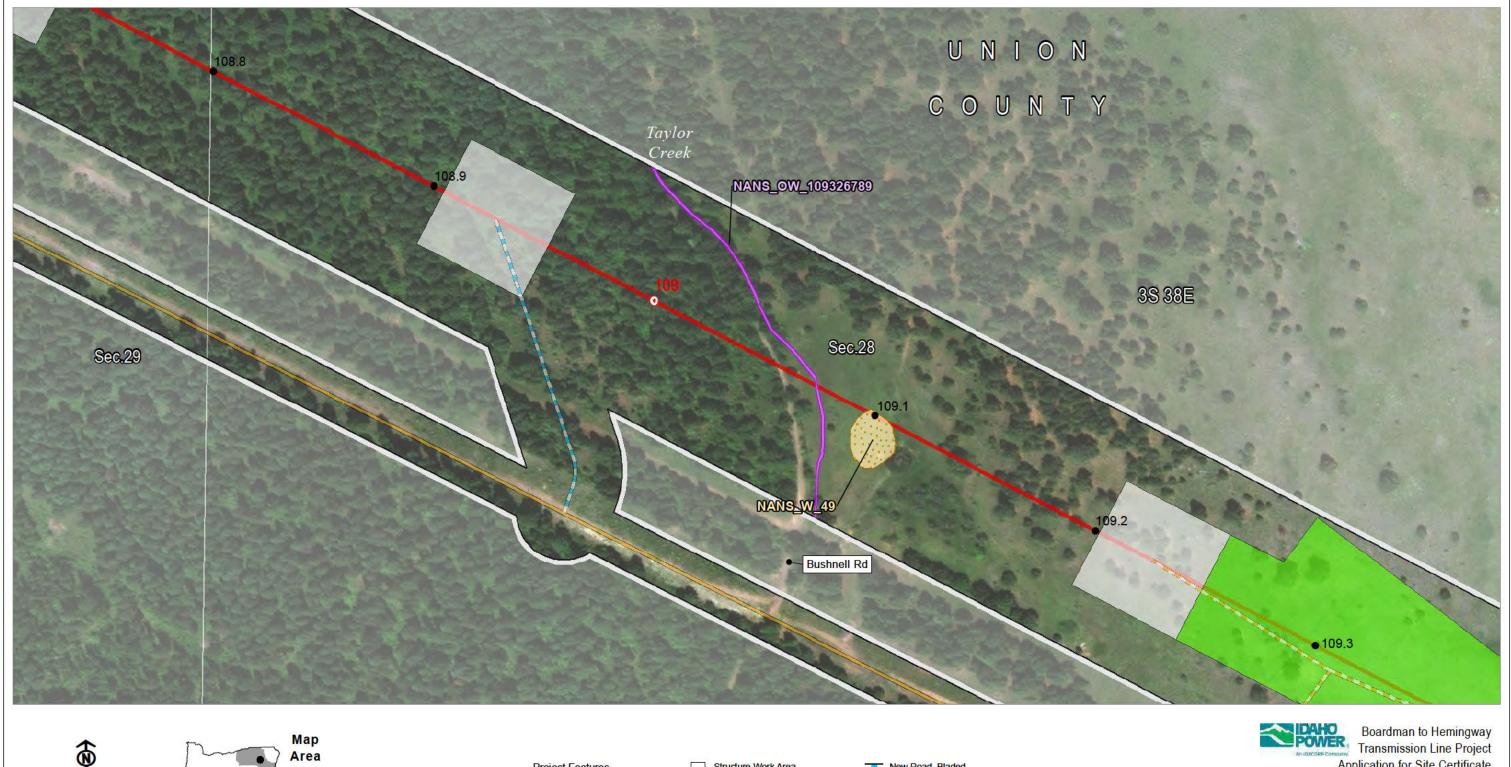
Wetland
■ NANS Wetland (NWI)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-117

Wetland and Other Waters Detail Maps







Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area

Mileposts

Mile Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

New Road, Primitive Other Waters

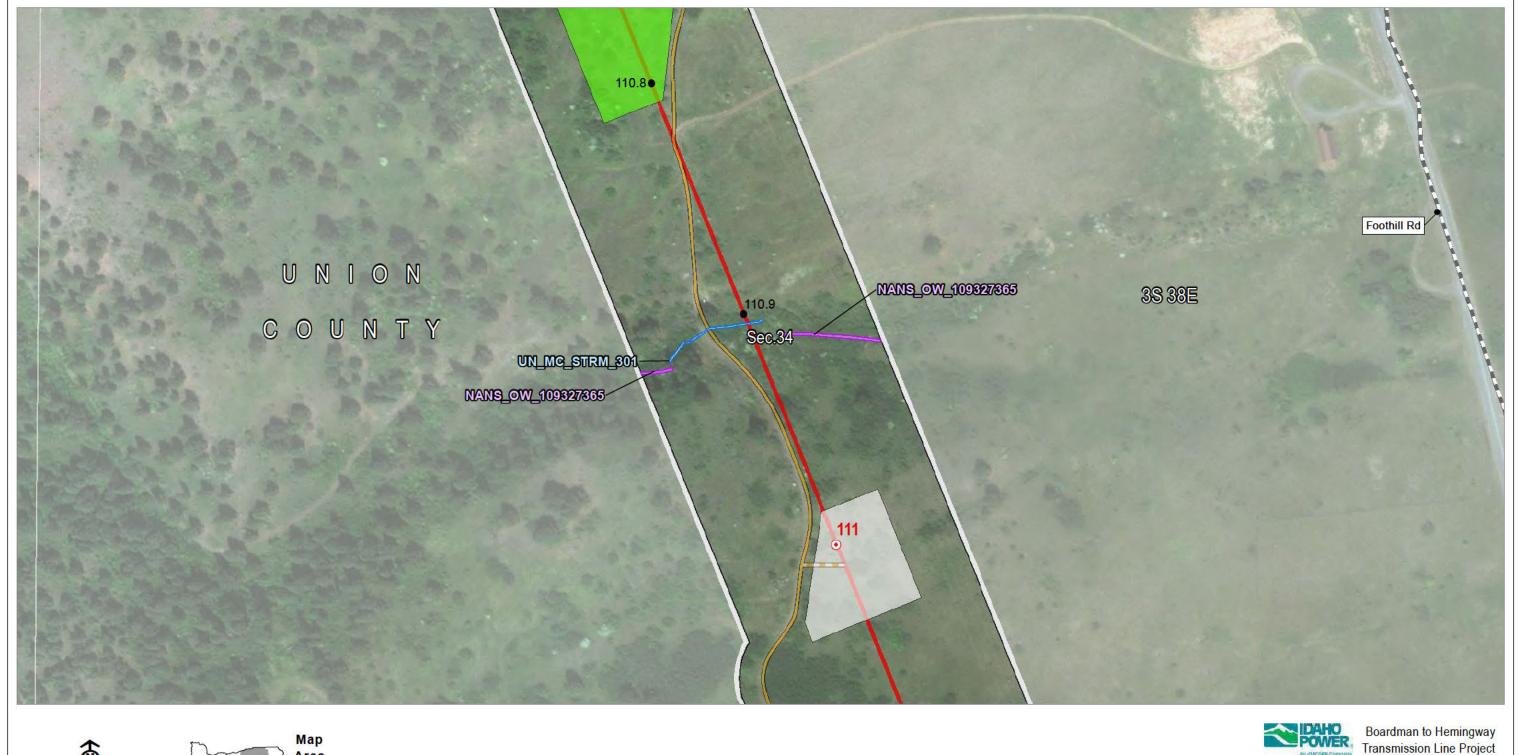
NANS Streams (NHD) Wetland

NANS Wetland (NWI)

Application for Site Certificate

Attachment J1-119

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive

Transportation

Other Major Roads

Other Waters

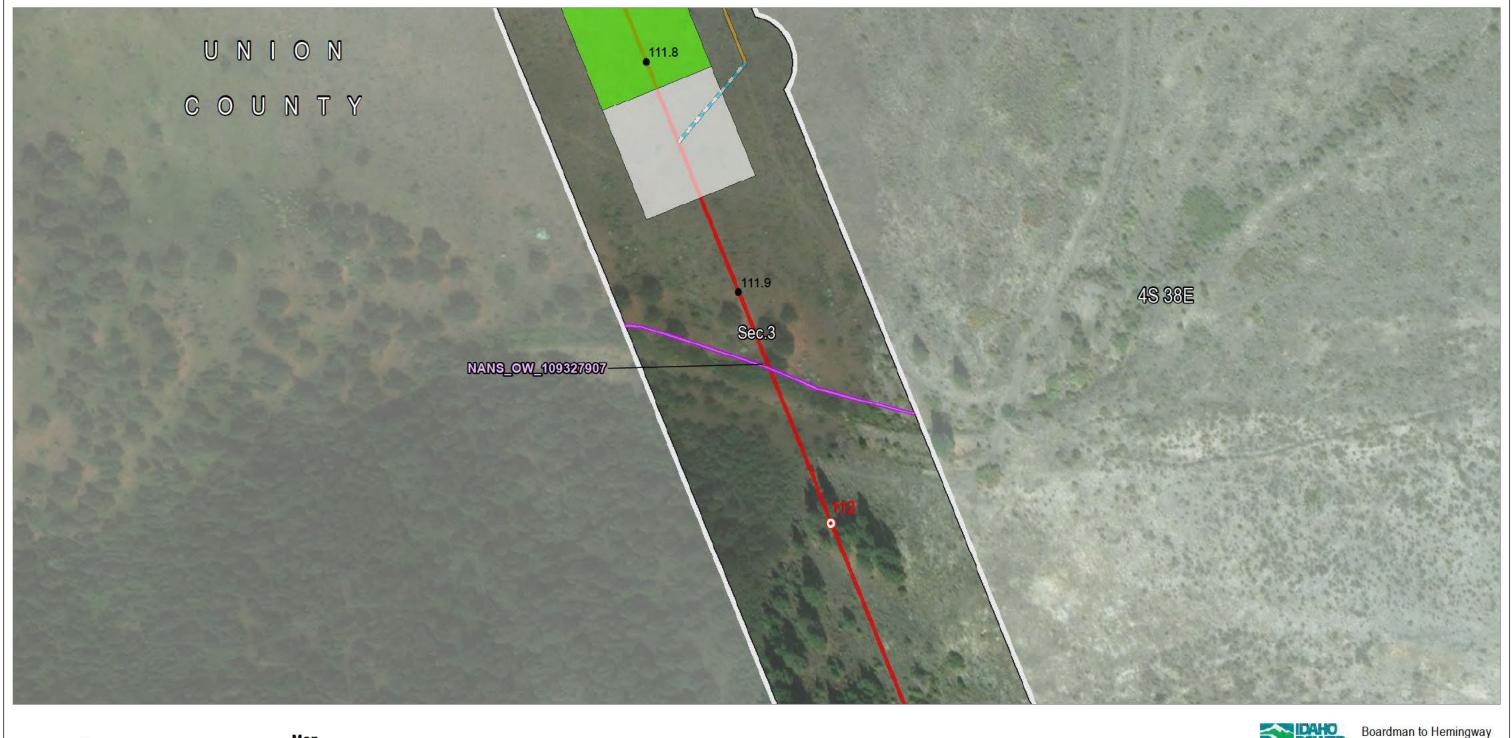
Field Survey Streams

NANS Streams (NHD)

Application for Site Certificate

Attachment J1-120

**Wetland and Other Waters Detail Maps** 





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route
Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

Other Waters

NANS Streams (NHD)

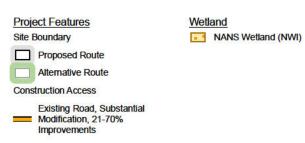
Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-121

Wetland and Other Waters Detail Maps







Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-122

Wetland and Other Waters Detail Maps





## Project Features

Site Boundary

Proposed Route

Alternative Route

Route Centerline

Proposed Route

Work Areas

Structure Work Area

## Mileposts

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

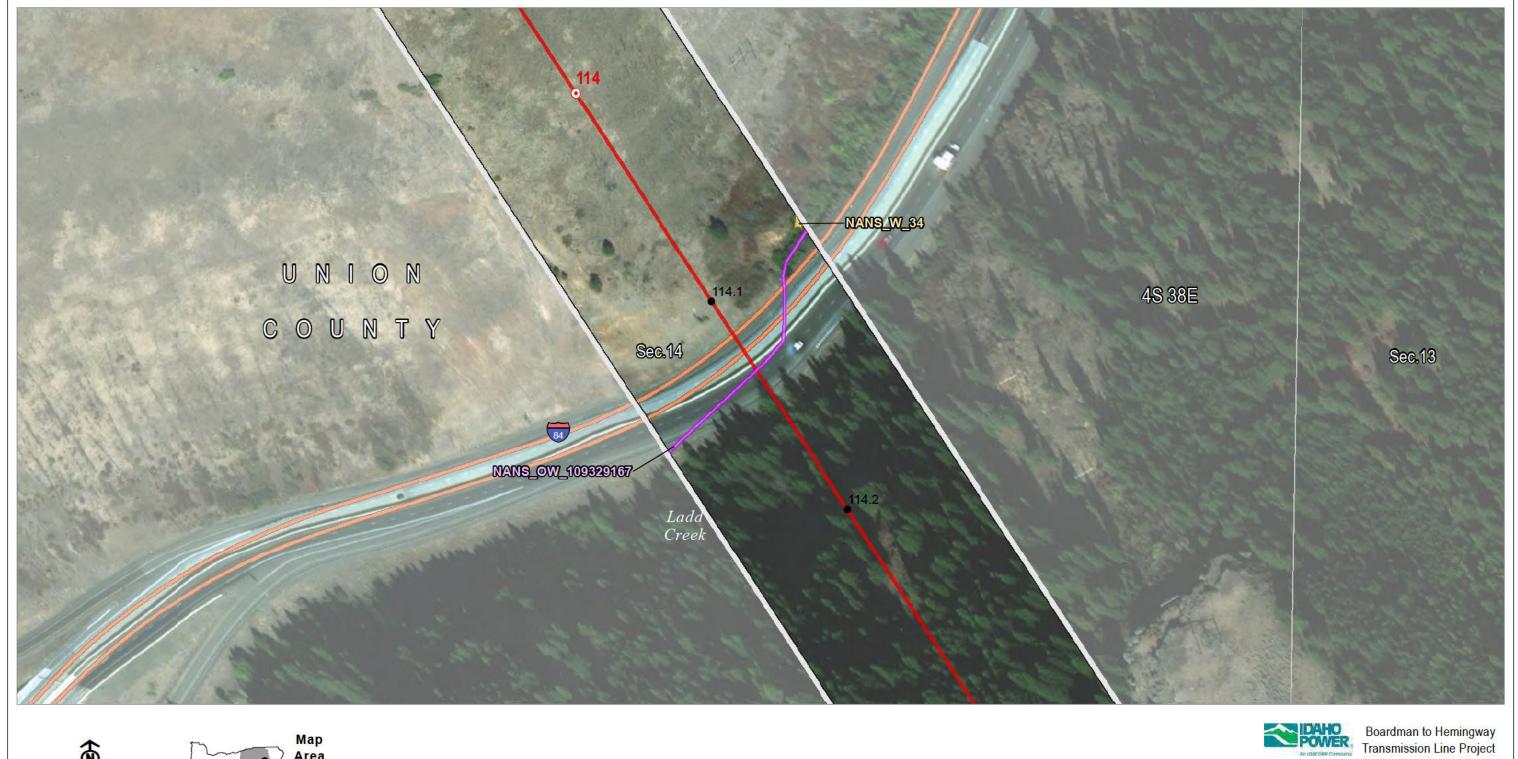
## Wetland

NANS Wetland (NWI)



Attachment J1-123

Wetland and Other Waters Detail Maps





Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Mileposts Mile

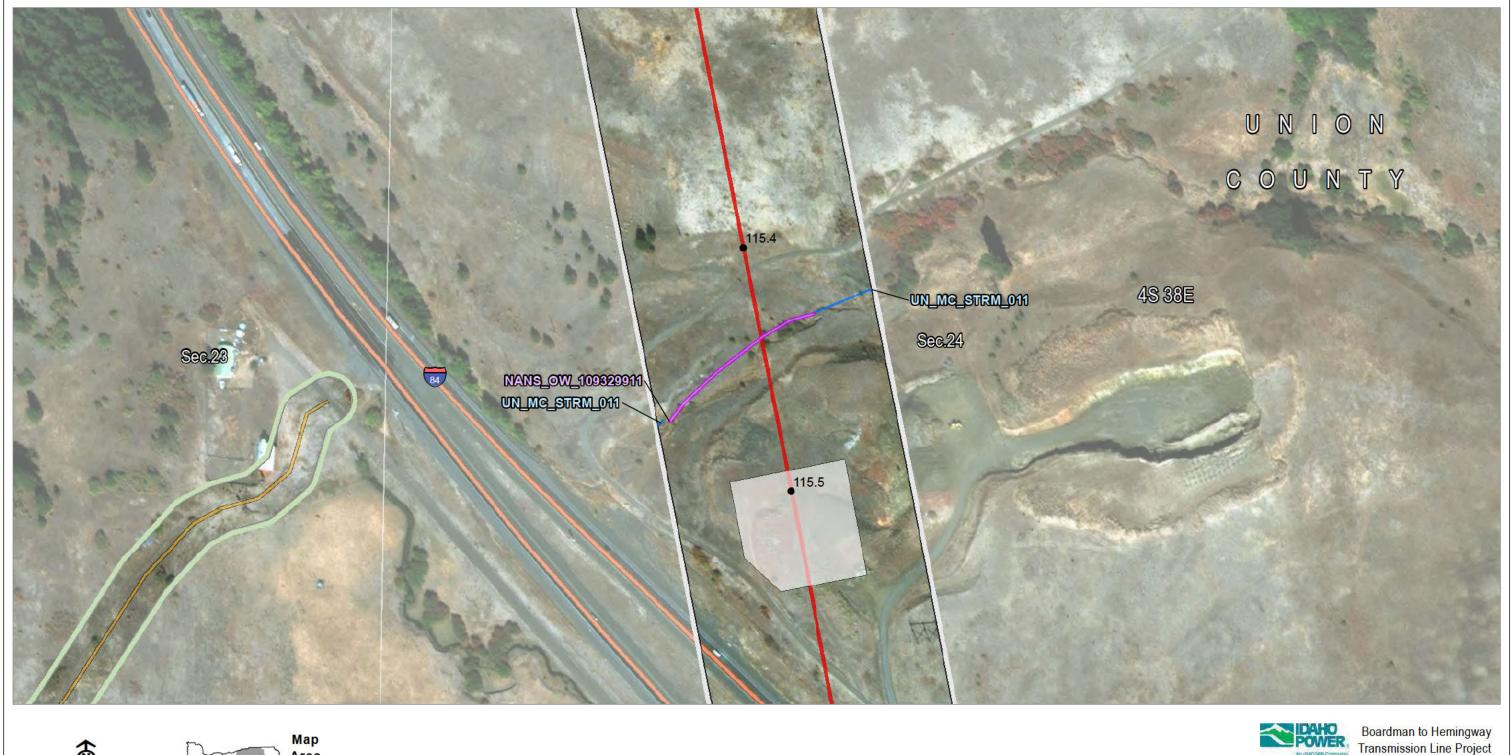
Tenth-mile **Transportation** Interstates or Highways Other Waters NANS Streams (NHD)

NANS Wetland (NWI)

Application for Site Certificate

Attachment J1-124

**Wetland and Other Waters Detail Maps** 



Interstates or Highways



Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

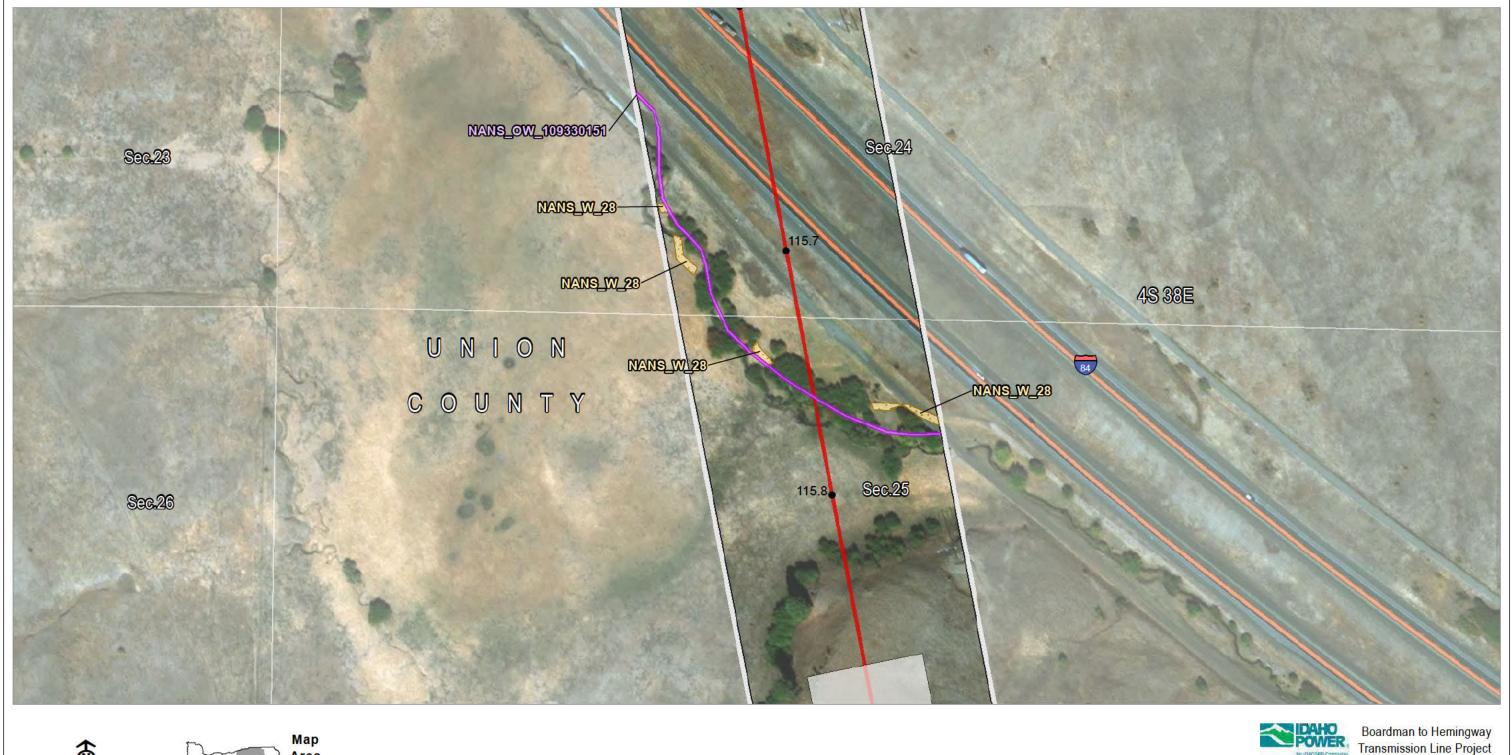
Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Work Areas Structure Work Area

Mileposts Other Waters Tenth-mile Field Survey Streams Construction Access NANS Streams (NHD) Existing Road, Substantial
Modification, 21-70%
Improvements **Transportation** 

Application for Site Certificate

Attachment J1-125

**Wetland and Other Waters Detail Maps** 





Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Work Areas Structure Work Area Mileposts Tenth-mile Transportation Interstates or Highways Other Waters NANS Streams (NHD) Wetland NANS Wetland (NWI)

Transmission Line Project Application for Site Certificate

Attachment J1-126

**Wetland and Other Waters Detail Maps** 





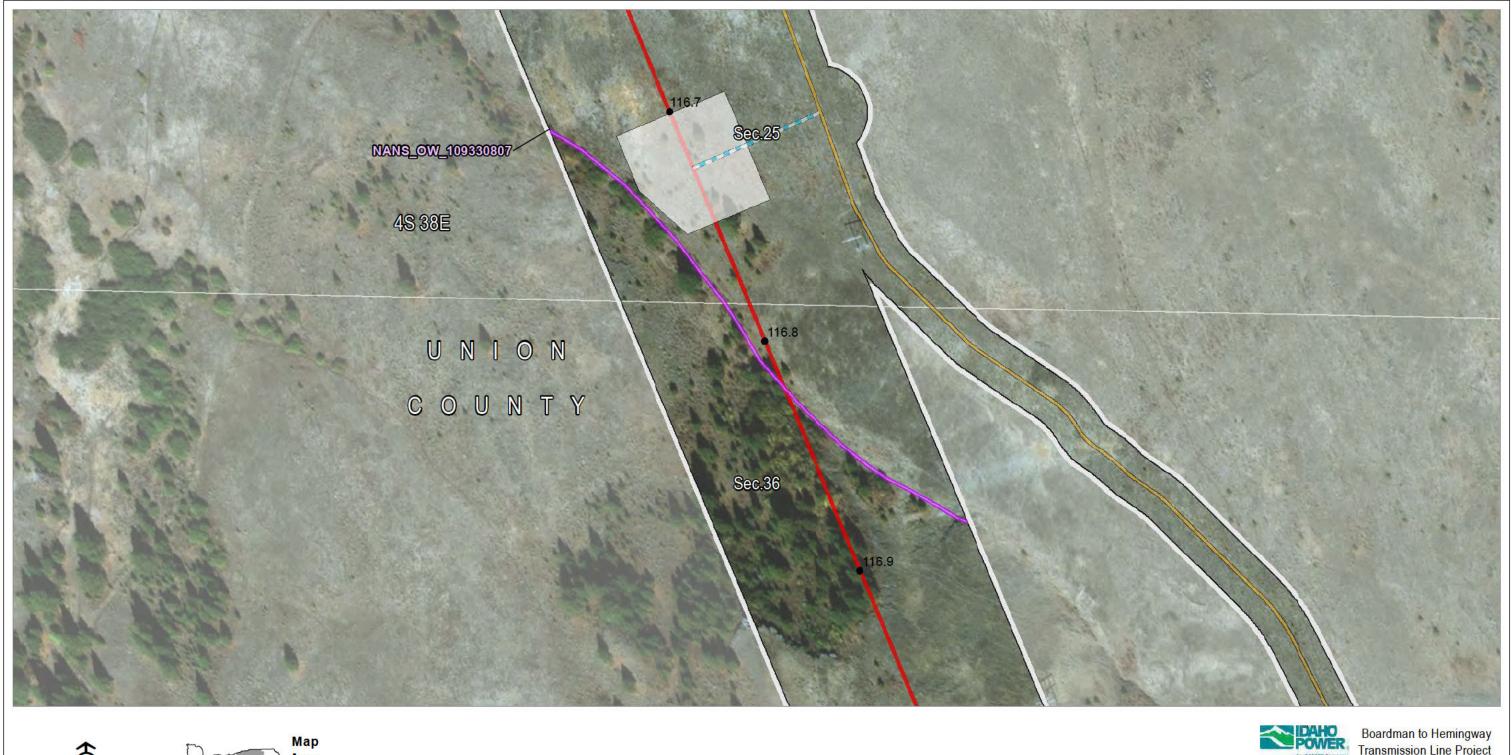
Project Features New Road, Primitive Site Boundary **Transportation** Proposed Route Interstates or Highways Alternative Route Other Waters Field Survey Streams Construction Access Existing Road, Substantial
Modification, 21-70%
Improvements Wetland

Field Survey Wetland

Boardman to Hemingway Transmission Line Project Application for Site Certificate

Attachment J1-127

**Wetland and Other Waters Detail Maps** 





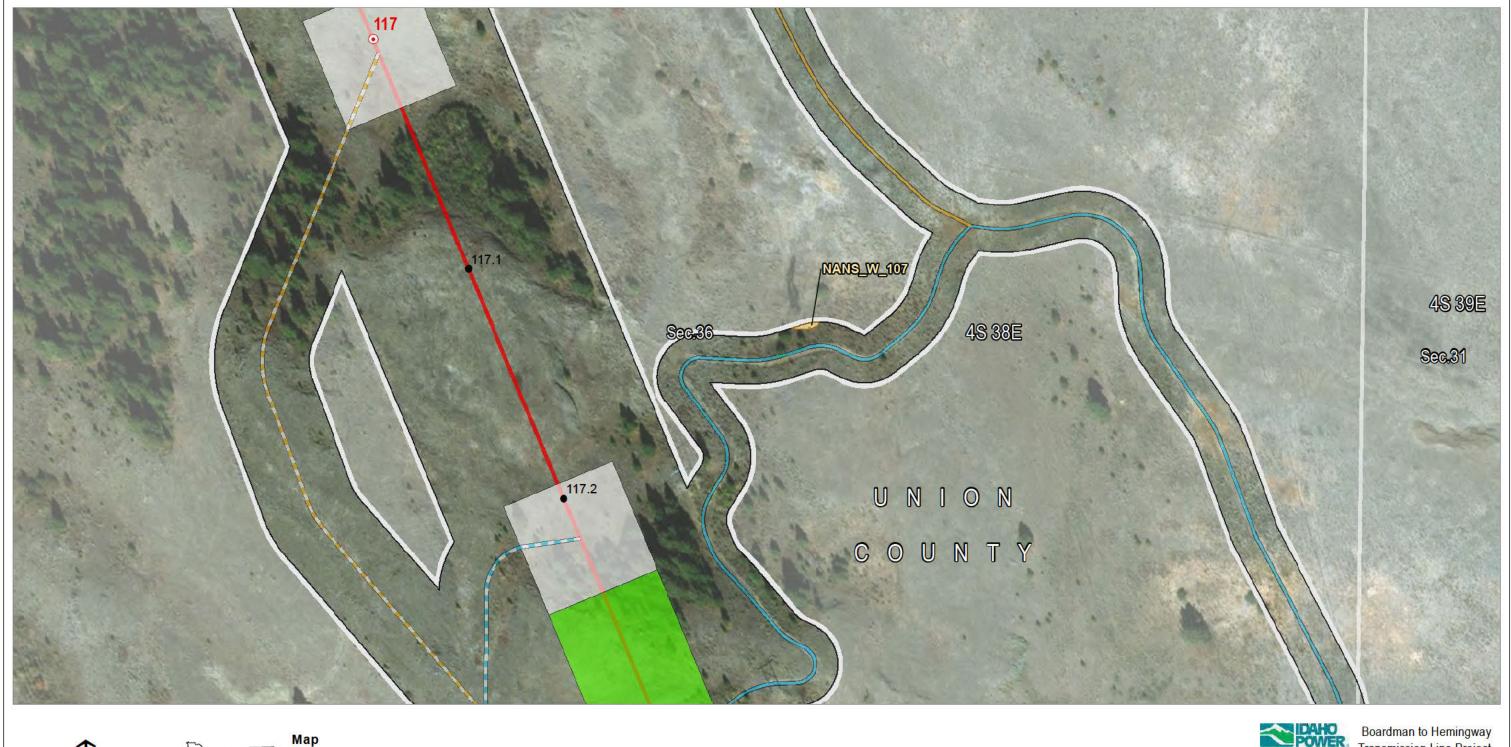
Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route Work Areas Structure Work Area

Mileposts Other Waters Tenth-mile NANS Streams (NHD) Construction Access Existing Road, Substantial
Modification, 21-70% Improvements New Road, Bladed

Transmission Line Project Application for Site Certificate

Attachment J1-128

**Wetland and Other Waters Detail Maps** 





<u>Project Features</u> Site Boundary

Proposed Route
Alternative Route

Route Centerline

Proposed Route
Work Areas

Pulling and Tensioning

Existing Road, Substantial
Modification, 21-70%
Improvements

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 71-100%

New Road, Bladed

New Road, Primitive

Wetland

NANS Wetland (NWI)

Boardman to Hemingway Transmission Line Project Application for Site Certificate

Attachment J1-129

Wetland and Other Waters Detail Maps

**Wetland and Other Waters** 

**Detail Maps** 

**Union County** 



Alternative Route

Route Centerline

Alternative

Proposed Route

Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys,

Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

Mileposts

Tenth-mile

Construction Access

Existing Road, Substantial Modification, 21-70%

Improvements

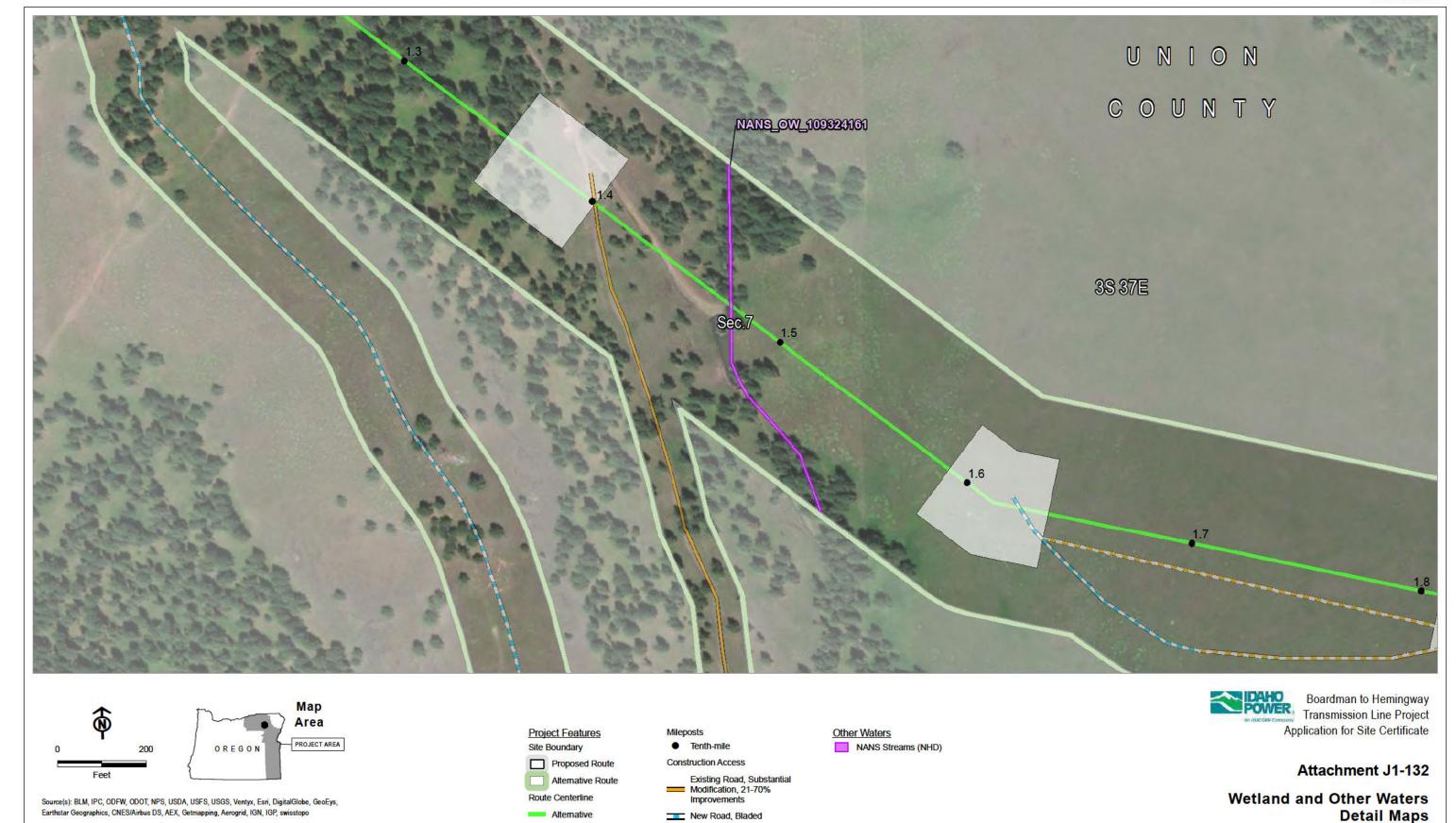
New Road, Primitive

NANS Wetland (NWI)

Wetland



**Union County** 



New Road, Primitive

Work Areas

Structure Work Area





Project Features
Site Boundary

Proposed Route
Alternative Route
Construction Access
Existing Road, Substantial
Modification, 21-70%
Improvements

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-133

Wetland and Other Waters Detail Maps





## Project Features Site Boundary

Proposed Route

Alternative Route
Route Centerline

Alternative
Work Areas

Structure Work Area

## Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

Existing Road, Substantial
Modification, 71-100%

New Road, Bladed

Other Waters

Field Survey Streams

Wetland

Field Survey Wetland



Attachment J1-134

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

- Alternative

Work Areas
Pulling and Tensioning

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

Other Waters

Field Survey Streams

Wetland
Field Survey Wetland



Attachment J1-135

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Alternative

Work Areas

Structure Work Area

Mileposts

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

Other Waters

Field Survey Streams

Vetland

Field Survey Wetland



Attachment J1-136

Wetland and Other Waters Detail Maps





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Alternative
Work Areas

Structure Work Area

Mileposts

Tenth-mile

Construction Access

New Road, Bladed
New Road, Primitive

Other Waters

NANS Streams (NHD)

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-137

Wetland and Other Waters Detail Maps





Project Features Site Boundary

Proposed Route Alternative Route

Construction Access

New Road, Primitive Wetland Field Survey Wetland



Attachment J1-138

**Wetland and Other Waters Detail Maps** 







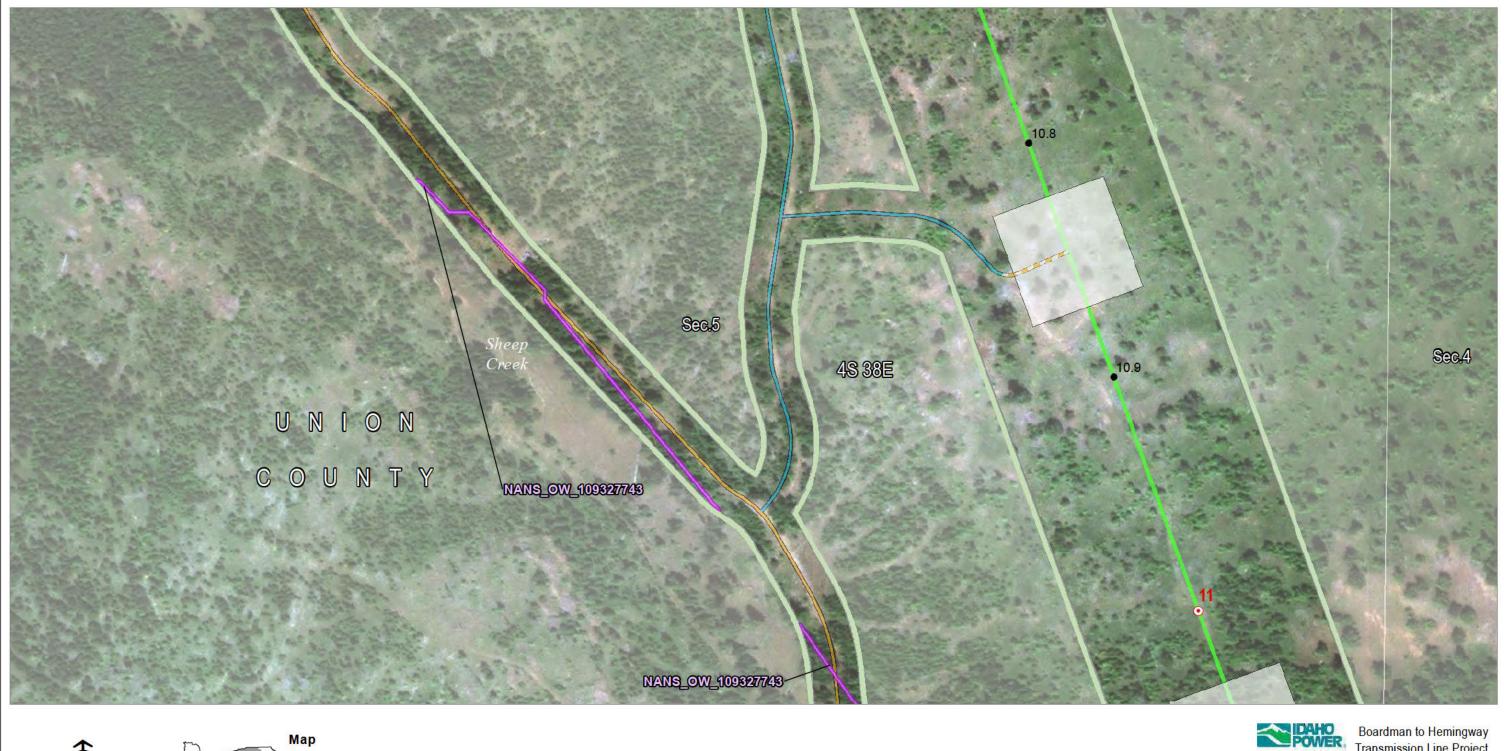


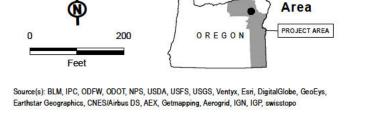
Other Waters NANS Streams (NHD)



Attachment J1-139

**Wetland and Other Waters Detail Maps** 





Existing Road, Substantial
Modification, 71-100% Project Features Mileposts Site Boundary Proposed Route Tenth-mile New Road, Primitive Construction Access Alternative Route Other Waters Existing Road, Substantial
Modification, 21-70%
Improvements Route Centerline NANS Streams (NHD) Alternative

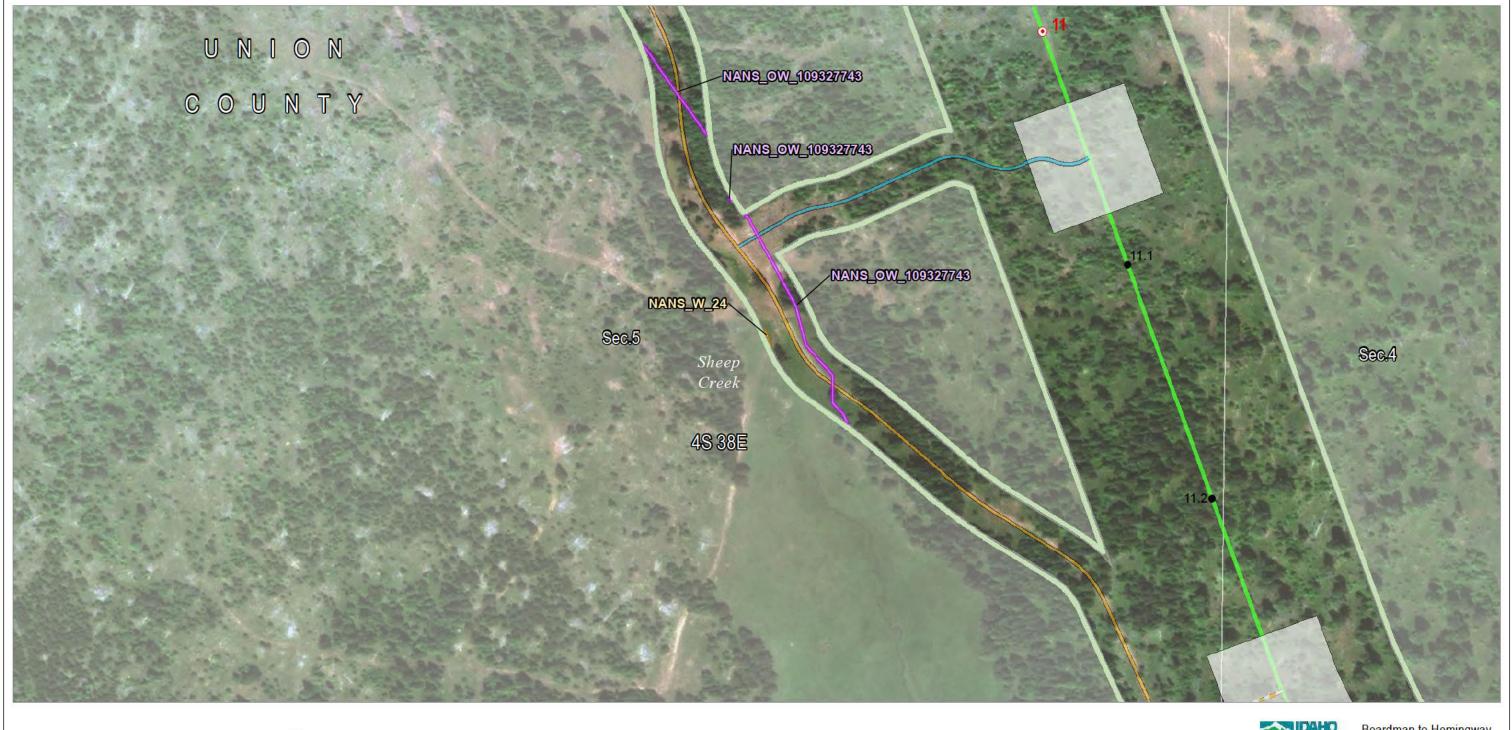
Work Areas

Structure Work Area

Transmission Line Project Application for Site Certificate

Attachment J1-140

**Wetland and Other Waters Detail Maps** 





## Project Features Site Boundary

Proposed Route

Alternative Route
Route Centerline

Alternative
Work Areas

Structure Work Area

## Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

Existing Road, Substantial
Modification, 71-100%
Improvements
New Road, Primitive
Other Waters
NANS Streams (NHD)

Wetland

NANS Wetland (NWI)



Attachment J1-141

Wetland and Other Waters Detail Maps





Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline
Alternative
Work Areas
Structure Work Area

Mileposts

● Tenth-mile

Construction Access

Existing Road, Substantial

Modification, 21-70%
Improvements

New Road, Bladed

New Road, Primitive

Boardman to Hemingway
Transmission Line Project
Application for Site Certificate

Attachment J1-142

Wetland and Other Waters Detail Maps





**Project Features** Site Boundary

Proposed Route

Alternative Route

Route Centerline

Alternative Work Areas

Pulling and Tensioning

Structure Work Area

Mileposts Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Bladed

New Road, Primitive

Other Waters

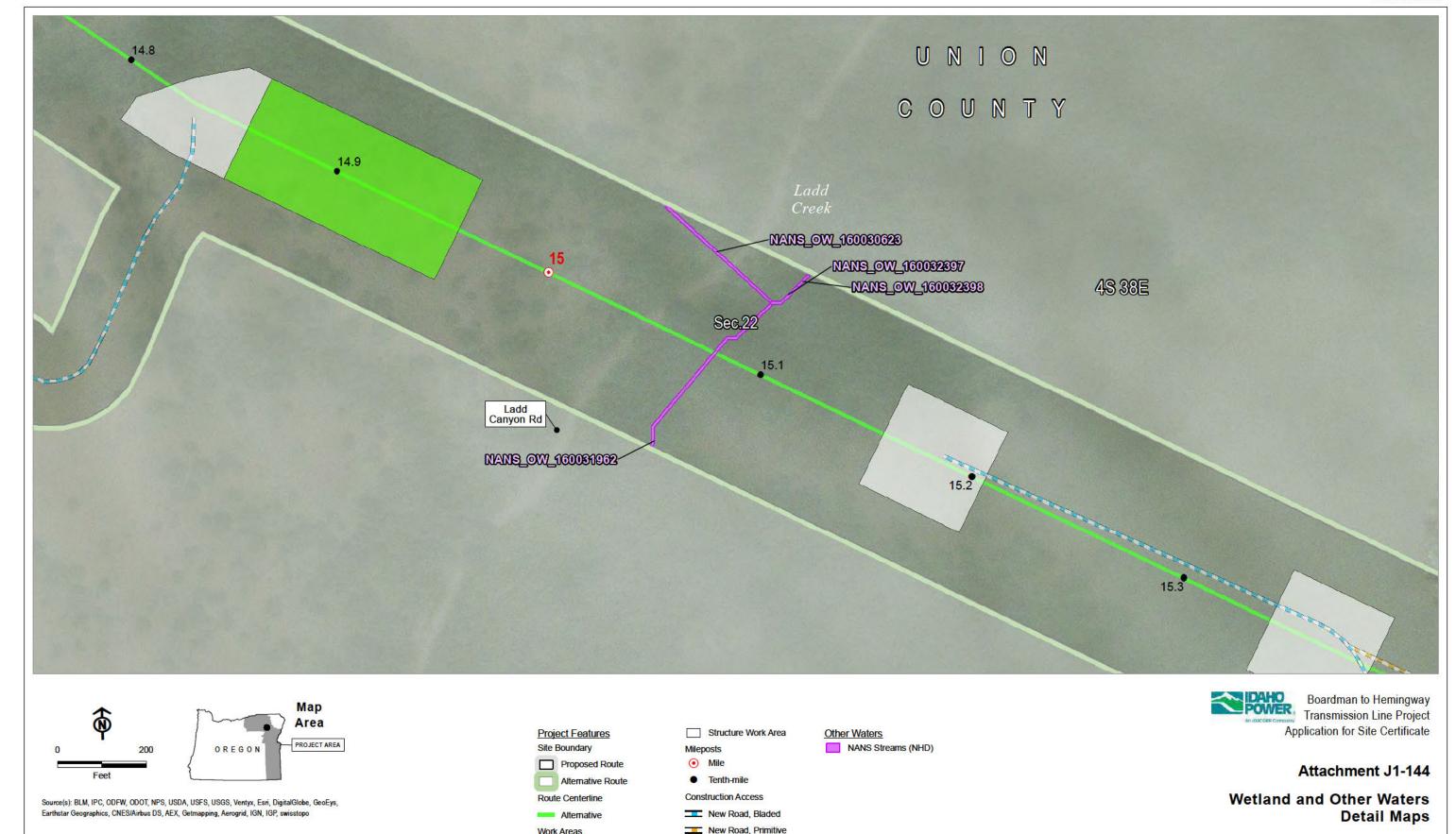
✓ Field Survey Streams

Application for Site Certificate

Attachment J1-143

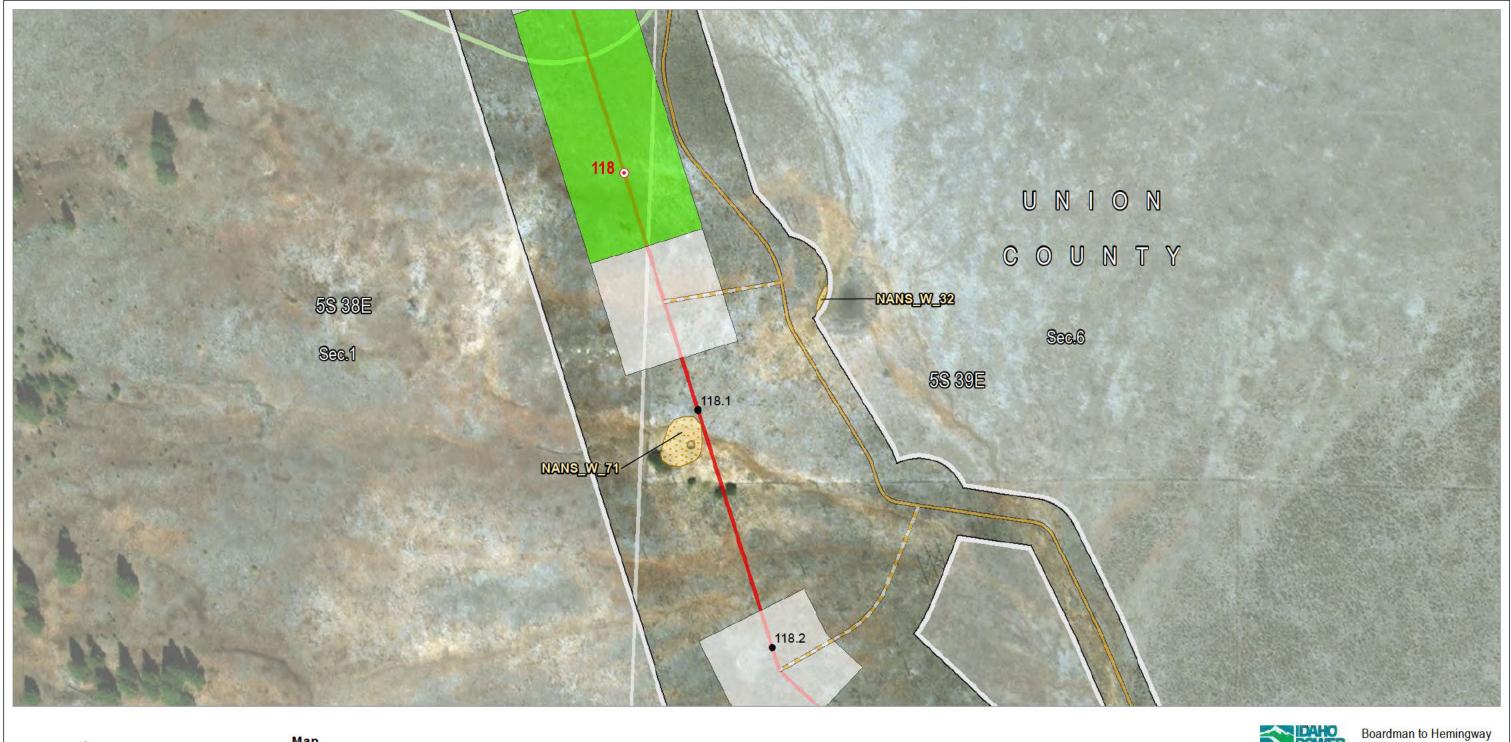
**Wetland and Other Waters Detail Maps** 

**Union County** 



Work Areas

Pulling and Tensioning





Project Features
Site Boundary

Proposed Route

Alternative Route
Route Centerline

Proposed Route

Work Areas
Pulling and Tensioning

Structure Work Area

Mileposts

Mile

Tenth-mile

Construction Access

Existing Road, Substantial
Modification, 21-70%
Improvements

New Road, Primitive

Wetland

NANS Wetland (NWI)



Attachment J1-145

Wetland and Other Waters Detail Maps



Improvements



Source(s): BLM, IPC, ODFW, ODOT, NPS, USDA, USFS, USGS, Ventyx, Esri, DigitalGlobe, GeoEys, Earthstar Geographics, CNES/Airbus DS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo

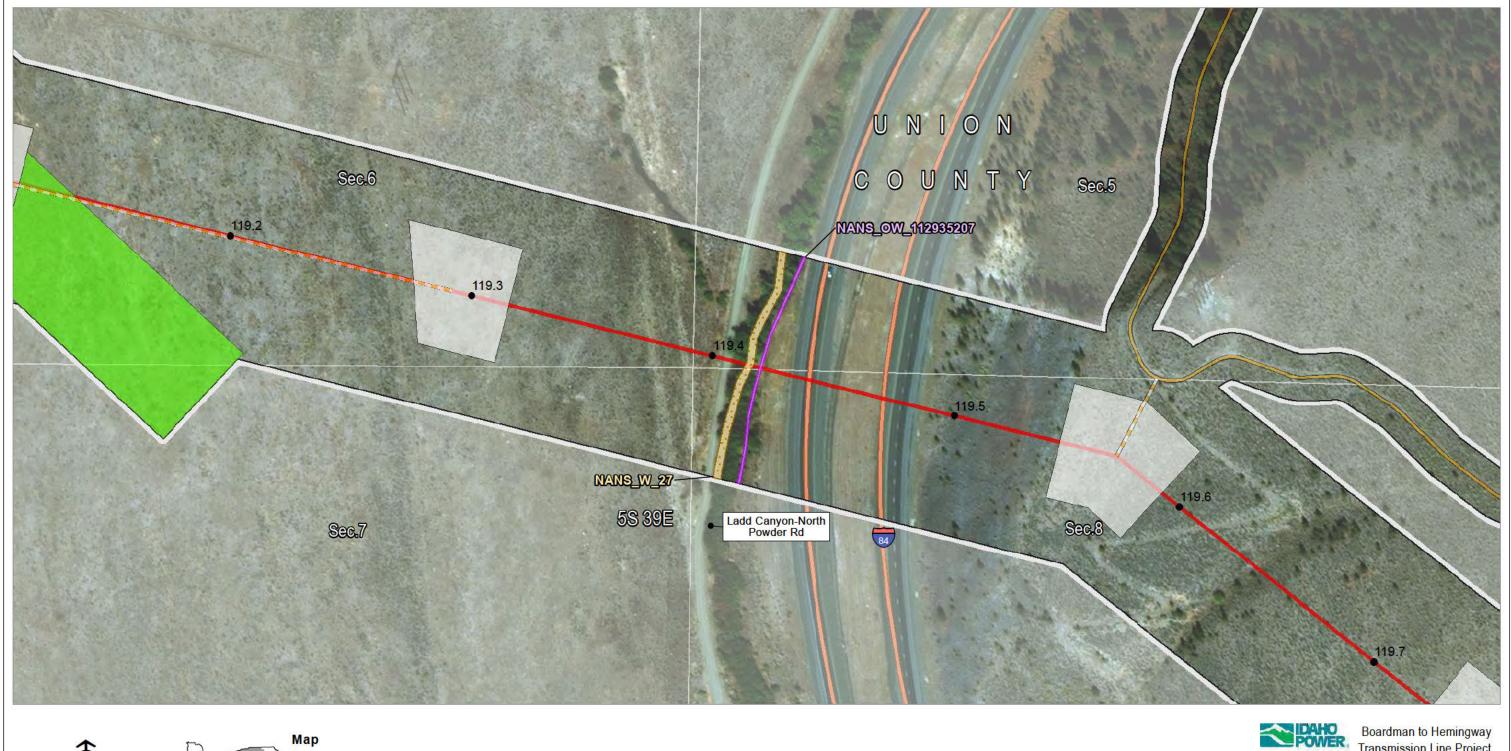
Project Features Site Boundary Proposed Route Alternative Route Route Centerline Proposed Route New Road, Primitive Work Areas Structure Work Area

Mileposts Other Waters Tenth-mile NANS Streams (NHD) Construction Access Existing Road, Substantial
Modification, 21-70%

Application for Site Certificate

Attachment J1-146

**Wetland and Other Waters Detail Maps** 





**Project Features** Site Boundary

Proposed Route

Alternative Route Route Centerline

Proposed Route

Work Areas Pulling and Tensioning Structure Work Area

Tenth-mile

Construction Access Existing Road, Substantial Modification, 21-70% Improvements

New Road, Primitive

Transportation

Interstates or Highways

Other Waters

NANS Streams (NHD)

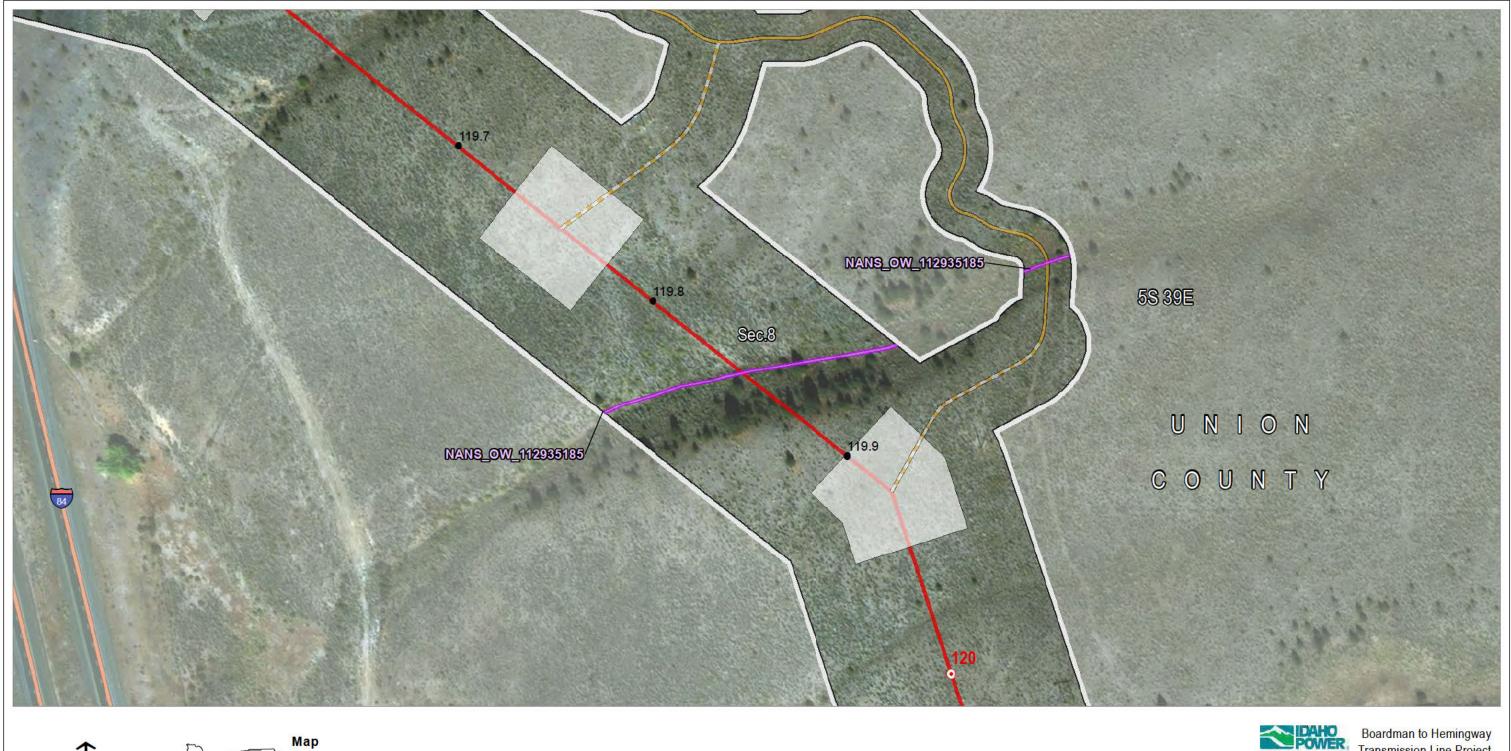
Wetland

NANS Wetland (NWI)

Transmission Line Project Application for Site Certificate

Attachment J1-147

**Wetland and Other Waters Detail Maps** 





Project Features
Site Boundary
Proposed Route
Alternative Route
Route Centerline
Proposed Route
Work Areas
Structure Work Area

New Road, Primitive

Boardman to Hemingway Transmission Line Project Application for Site Certificate

Attachment J1-148

Wetland and Other Waters Detail Maps





Structure Work Area



Attachment J1-149

Wetland and Other Waters Detail Maps