

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

IN THE MATTER OF IDAHO POWER COMPANY'S, PETITION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	Docket: PCN 5 Intervenor Opening Testimony Carl A. Morton & Julie A. Morton
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Date: January 17, 2023

Carl A. & Julie A. Morton, Intervenor

**1248 Klamath Ave.
Nyssa, OR 97913
cnjmorton@gmail.com**

1 We are owners of property 21S45E01700- 2185 Rocksprings Canyon Road Nyssa,
2 Oregon. Our family has lived and worked in the area for over 40 years.
3 We are challenged with the proposed location for the Double Mountain Alternative routes shown
4 on the Idaho Power Parcels, Malheur County Map 125. ORS 215.213

5 The 2002 Resource Management Plan of the Bureau of Land Management-Vale District
6 r ci g"32; "ucvgu"vj cv"vj g"õf guk pc vkp" qh'tk j v" qh-way corridors and encourages use of rights-of-
7 way in -common to minimize environmental impacts and the proliferation of separate rights of
8 way. BLM policy, as described in the BLM Manual 2801.13B1, is to encourage **prospective**
9 **applicants to locate their proposals within corridors.**ö Page 110 of the 2002 BLM Resource
10 Management Rcp"ucvgu."õVj g"QY HGKUtgeqi pk gf " vj g"gzkvpj " constructed 500-kV PP&L
11 power line route as a **primary recognized existing route for location of future power line**
12 **interties**ö

13 We believe that Idaho Power should use the existing power line corridor established on
14 BLM ground and not take away our private ground.

EXHIBIT 1

**BLM- Vale Oregon District
Resource Management Plan
Page 109-110**

Sept 30

2002 Resource mgmt plan vale District

Meet public needs for use authorizations such as rights-of-way, leases, and permits consistent with other resource objectives. Encourage right-of-way applicants to locate their facilities within designated corridors (Map LAND-1) to minimize impacts to other resource values. Maintain existing communication sites and allow new sites that will be consistent with other resource values. Develop site plans that enhance site quality (see Appendix L and Table L-2). Encourage relinquishment of no longer needed material and borrow sites that were established under title 23 of the "Federal Highway Act."

Initiate new withdrawal actions to protect high value resources or government capital investments. Review withdrawals in order to recommend continuations, modifications, revocations, or terminations. Appendix L and Table L-3 lists existing withdrawals. When acquiring land, determine on a case-by-case basis whether or not the land should be withdrawn from entry under the public land laws, mining laws, or mineral leasing laws.

Acquire and maintain legal public access to public land consistent with other resource objectives. Existing easements and access needs are depicted on Map LAND-1.

Roads may have a major impact on a multitude of physical and biological processes, as indicated in the "Scientific Assessment for the Draft Eastside EIS" (Quigley and Arbelbide 1996). Careful planning of roads is necessary to balance human desires with protection of resource values. A transportation management plan will be developed by the engineering staff to consolidate documents outlining the BLM's philosophy toward transportation management. The plan will not make specific transportation management decisions but will supply general guidance and direction. This document will become the district's final transportation plan upon designation of arterial, collector, local, and land management roads and the completion of transportation management objectives that recommend specific management on individual roads. To ensure that resource objectives are met, standards for construction, maintenance, and access management for the road and trail system will be required. This plan will respond to the district's ROD and approved resource management plan objectives to develop and maintain a transportation plan that meets resource management objectives while serving the needs of users in an environmentally sound manner. Roads will be addressed under specific resource activities.

Eliminate unauthorized use of public land. Adjudicate and process unauthorized use cases and resolve trespass by (a) issuing authorizations, (b) terminating the use and reclaiming the land, and/or (c) disposing of land through exchanges and/or sales, regardless of land tenure zones. Such lands may be disposed of only if the unauthorized use occurred prior to the approval of the SEORMP.

Public lands located in areas of survey error or hiatus may be retained or disposed of as deemed appropriate after considering the resources they contain and their relationship to the surrounding lands.

Clean up and reclaim public land consistent with other resource objectives.

Objective 2: Establish right-of-way corridor routes and consider potential sites for wind or solar energy facilities to the extent possible, taking into account avoidance areas, consistent with resource objectives.

Rationale: Section 503 of FLPMA provides for the designation of right-of-way corridors and encourages use of rights-of-way in common to minimize environmental impacts and the proliferation of separate rights-of-way. BLM policy, as described in BLM Manual 2801.13B1, is to encourage prospective applicants to locate their proposals within corridors.

2007 Resource mgmt plan Vale District

Southeastern Oregon Resource Management Plan

Utility corridor widths may be reduced in size and may be limited to valid existing rights-of-way widths or the accumulation of rights-of-way widths where a particular utility corridor is bordered on both sides by SMA's such as WSA's, ACEC's, NWSR's, and VRM Class I and II areas. See Appendix L and Table L-1 for possible development limitations on corridors due to the location of various SMA's. It may be necessary to refer to the appropriate SMA sections of this plan or records in the Vale District Office for more detailed information.

BLM policy encourages the facilitation of siting for wind or solar energy facilities. Such sites may be established on public lands in the area covered by the SEORMP where not in conflict with valid existing uses or established resource management objectives.

Monitoring: Normal BLM accomplishments and plan implementation tracking process.

Management Actions: 1) Designate new utility corridors and continue or discontinue the designation of existing corridors for trans-district electric transmission lines identified by the Western Regional Corridor Study (WRCS), Federal and State highways, county or BLM roads, and railroads (see Appendix L, Table L-1). Corridor width will vary 500 to 6,000 feet on each side of the centerline of existing facilities as identified on Map LAND-1 except for the following: (a) where the alignment forms the boundary of an SMA, and the corridor will be outside the area, and (b) corridor designations will minimize impacts to natural values consistent with other resource values.

Because of prior decisions and commitments made in the MFP, OWFEIS, and the WRCS, the location of PP&L 500-kV existing route below the Owyhee Dam will remain the same. The MFP recommends a route which avoided the area of the dam by detouring to the north (see Map LAND-1). However, prior to the signing of the ROD of the MFP, a separate decision had already been made by the Secretary of the Interior and representatives of the Department of the Interior to allow construction of the 500-kV PP&L power line along the proposed original north route. Although the detour was considered very early in the route selection process, the route was not selected as described in the MFP and thus was not implemented. The OWFEIS (see Map 7 of the OWFEIS) recognized the existing constructed 500-kV PP&L power line route as a primary recognized existing route for location of future power line interties. The WRCS used the existing constructed power line route and information obtained in the OWFEIS document for its report and maps. Therefore, the location of the PP&L 500-kV existing route below the Owyhee Dam will remain the same. Proposals for future interties through this area will be scrutinized very closely and some limitations or modifications of structures could be imposed in order to minimize impacts to natural resource values contained within the proposed ACEC and recommended NWSR below Owyhee Dam. The proposed dogleg route (see Item 3) will also be considered as a routing alternative.

General centerline corridor widths will be as follows: (a) 500 feet BLM and county roads, (b) 1,000 feet Federal and State highways, (c) 6,000 feet Interstate 84 corridor complex with multiple right-of-way users, (d) 1,500 feet large electric transmission interties (existing and proposed), (e) 1,000 feet smaller electrical transmission lines, (f) 1,000 feet large and small pipeline transmission lines, and (g) 1,000 feet railroads (see Appendix L, Table L-1 for existing and potential corridors).

2) De-designate proposed MFP alternate 500-kV route. The PP&L 500-kV power line (north route) was constructed further to the south below the Owyhee Dam (see above). The MFP alternate 500-kV route will be replaced by the new proposed 500-kV dog leg route which will be located further to the north (see map LAND-1). Approximately 22 miles of public land right-of-way corridor will be involved.

3) De-designate proposed PP&L power line (south route) right-of-way corridor as listed in the WRCS to protect natural values and avoid SMA conflicts.

EXHIBIT 2

Corridor 11-228

